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What NOT to do with The Queen

George Walden's poison pen page 19

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EVERY WEEKDAY

- Party director is sacked over leaked speech
- E-mail searched in hunt for Smith Sq mole

Tories mutiny over end of Thatcherism

By ANDREW PIERCE

THE Tory Party was in crisis last night over the leadership's attempt to downgrade Thatcherism after a senior party director was accused of disloyalty and sacked.

Michael Simmonds, the 60,000-a-year director of marketing and membership, was called in by the party chairman Michael Ancram at 8.30am yesterday, branded a leaker and told to clear his desk immediately. Mr Ancram was acting on William Hague's orders after Central Office traced every e-mail and fax sent from the building.

The sacking — the first of its kind for 50 years — came after a report in *The Times* on Saturday which disclosed the original draft of a speech Peter Lilley, the deputy leader, gave last Tuesday as Tories celebrated the 20th anniversary of Margaret Thatcher's first election victory. But he was forced to water it down after the furious intervention of Shadow Cabinet colleagues. Mr Simmonds was accused of being behind the leak, which seriously embarrassed Mr Lilley.



We've trained him to sniff out dodgy e-mails

The parliamentary party is in crisis over the Lilley speech. I have seriously underestimated the scale of dissent on the backbench. William has to do something about it

— James Arbuthnot, Tory Chief Whip

His dismissal came as one of the party's most senior figures admitted that the conflict over the Tory policy review was pitching the party into crisis. James Arbuthnot, the Chief Whip, told a Central Office strategy meeting yesterday morning: "The parliamentary party is in crisis over the Lilley speech." At lunchtime, he called a second meeting and told senior party figures that at the meeting a few hours earlier he had "massively underestimated the scale of dissent on the backbenches", and gave the warning: "William has to do something about it."

The abrupt sacking of Mr Simmonds — a party worker for four years who was special adviser to the former chairman Sir Brian Mawhinney and who spent six weeks working unpaid for Mr Lilley's leadership campaign in 1997 — has prompted speculation of further casualties. There is talk of resignations at the party headquarters in protest at the downgrading of the party's support for free market solutions to cure the ills of the health service and education system.

The original version of Mr Lilley's speech was an uncompromising attempt to break with the party's Thatcherite past and argued that "most Conservatives always accepted public services are intrinsically unsuited to delivery via the market".

Mr Lilley was incensed by the leak and demanded to know the source. He spoke to Ann Widdecombe, the Shadow Health Secretary, at the weekend and effectively accused her of being the mole.

Miss Widdecombe, a vocal critic of Mr Lilley in last week's stormy shadow cabinet meeting, refused to discuss the matter yesterday. But friends said that she was "wild with anger" at the charge.

The party high command threw its backing behind Miss Widdecombe, but Mr Lilley still wanted retribution. "He wanted a body on the cross," said one party insider.

A leak inquiry was set up, and Mr Simmonds fell victim to technology. The internal inquiry concluded late on Monday night that it must have been sent using e-mail.

Mr Simmonds was called in and told to go. Mr Ancram broke the news to senior staff at 9am. They were forbidden to talk to the press. Details leaked a few minutes later.

Mr Hague overrode the advice of Mr Ancram and Archie Norman, the Asda chairman and party chief executive, to let Mr Simmonds leave quietly after the European elections in June. "We wanted to avoid any more bad headlines," said one official.

"Hague was having none of it. He wanted him out."

Another longstanding official said: "The inner-circle does not consult, it dictates. Anyone who can find a life raft will get on it. The current atmosphere is bad. Very bad. Morale is now subterranean, not low. It is reminiscent of the last days of an East European dictatorship. People are trying to get out. We cannot bear to read the papers any more. Except the job vacancies."

Howard plea, page 2
Leading article, page 21



Hugh Grant dares to go without a tie as Elizabeth Hurley bares nearly all in Versace

Hurley steals the show in sequins

JULIA ROBERTS may be the star but another Liz Hurley dress stole the show last night at the premiere of *Notting Hill*, the long-awaited follow-up to *Four Weddings and a Funeral*.

Although she does not appear in the film, Hurley's sequined Versace dress ensured that she shared the limelight when she arrived on the arm of her boyfriend Hugh Grant. Roberts's

co-star. Five years ago another Versace creation, apparently held together by safety pins, thrust Hurley centre-stage at the premiere of *Four Weddings*.

Roberts, who was last to arrive at the Odeon in Leicester Square, also opted for sequins and stopped to sign autographs. Earl Spencer, Elton John and Joanna Lumley were among the guests at the opening.



woman for the company said. "I am very surprised to hear that the Conservatives have done this."

A Tory insider admitted she hoped the party was forced to withdraw the T-shirts, part of a campaign for the abolition of tuition fees in Scotland. "To be honest, I think they've gone too far. I don't think we should be encouraging bad language, which this is, however subtle it appears," she said.

French Connection UK reported record profits and sales last year on the back of the FCUK Fashion campaign, dreamt up by the advertising agency GGT. However, it was withdrawn from a number of glossy style magazines after

readers complained to the Advertising Standards Authority. The Church of England and the Roman Catholic Church also condemned the slogan as a "cheap stunt".

Now the store uses FCUK as a registered trademark and it has capitalised on the bad publicity by selling 100,000 T-shirts carrying the slogan. Brian Monteith, Tory education spokesman, said there had been concern that using the slogan might have been considered "indiscreet", but he added: "It's aimed at students... They will have a laugh about it on what is a very serious issue for them."

He insisted there was no breach of copyright. The Tory T-shirts were different in colour and typeface.

Last night the Conservative Party in England distanced itself from its Scottish colleagues. "Another banana skin," said one senior Tory.

Mercy flights for 300 a week

By RICHARD FORD
HOME CORRESPONDENT

MORE THAN 150 Kosovo refugees will arrive in Britain tomorrow as the emergency airlift of evacuees is set to become a twice weekly operation.

The group of refugees, comprising 15 people needing medical treatment and about 140 dependants, will land at East Midlands International Airport at noon.

One group of refugees are to be taken to a reception centre

in a former school near Castle Donington in Derbyshire after arriving aboard the flight from Skopje in Macedonia. Another group may be taken to Leicester.

A twice weekly airlift of refugees to regional airports is planned after Jack Straw, the Home Secretary, told MPs that Britain would accept thousands of ethnic Albanians, but he declined to put a figure. The United Nations High Commissioner for Refugees has asked Britain to take a further 400

people who have fled Kosovo and said plans were being made for flights every Tuesday and Thursday.

Refugees will go to councils around Edinburgh and Glasgow over the next three weeks. Among other areas being chosen are Manchester and Oldham.

In Derbyshire doctors and social workers are getting ready for the second group of refugees to arrive in Britain since the Nato bombing campaign started. The arrival of

the refugees comes as the government has admitted that the number of people seeking asylum in Britain this year could rise to 62,000 compared with 52,000 last year.

The rising numbers have caused chaos in the Asylum and Immigration Directorate. The backlog rose by 10,400 in the first three months this year to reach 74,000.

War reports, pages 14, 15
Simon Jenkins, page 20
Leading article, page 21

Students both guilty

A motive for the savage murder of college student Russell Crookes remained a mystery as his two best friends faced life sentences for the killing.

Neil Sayers, 19, and Graham Wallis, 18, stabbed 17-year-old Russell Crookes to death at Hadlow College in Kent before burning and burying it in a shallow grave. Sayers was found guilty of the murder by a jury at Maidstone Crown Court. Wallis had already admitted the killing. Page 3

Space tourist Welshman books Mir holiday

By ANNA BLUNDY IN MOSCOW AND
ADAM SHERWYN

A BRITISH businessman has agreed to pay \$100 million for a week-long ride on Russia's ageing, accident-prone Mir space station. Russian officials announced yesterday.

Peter Llewellyn, 51, Welsh-born but living in the US, intends to travel to the orbital spacecraft in August in a Soyuz rocket with two Russian cosmonauts. After a week in space, he will return to

Earth with the Mir's current crew. The deal calls for Mr Llewellyn, who holds a pilot's licence, to invest at least \$100 million (£62 million) into financing Mir's operations, upgrading equipment at one of the plants of the state-run RKK Energia company, which runs Mir, and other projects. In return, he gets his Mir flight.

Mr Llewellyn, who is married with two children and made his fortune through a waste-reprocessing company called Microlife USA, will begin

training next month at the Star City complex near Moscow.

The director of the Russian space agency, Yuri Koptev, said Mr Llewellyn's funds, to be paid in £25 million instalments, "could serve to prolong the life of Mir by several months". After the end of August, when government cash runs out, Mir would be left to burn up in the Earth's atmosphere.

But Sergei Gorbunov, a spokesman for the Russian space agency, was not yet convinced Mr Llewellyn's flight

would take place. A US businessman with links to the Russian space programme said: "\$100 million is way over the odds. I was offered a trip to Mir last year for \$20 million." And Sergei Gromov, spokesman for Energia, said he had only seen the Welshman once. "He didn't make a devastating impression on me." But Mr Llewellyn must be fearless. Mir has suffered many accidents in its 13-year orbit; and one ex-astronaut even claimed it is held together by rubber bands.

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Ceremonial squabble as Dewar makes his last stand

YESTERDAY saw a small and, for Westminster parliamentarians, poignant ceremony. Donald Dewar conducted the last ever proper session of Commons Questions to the Secretary of State for Scotland.

Next week come the elections to a Scottish parliament which is to assume most of Westminster's responsibilities. Its new first minister (expected to be Mr Dewar) will answer for these in the Edinburgh assembly. In London there will be an abbreviated opportunity to ask a minister (probably not Mr Dewar, or not for long) certain questions about Scotland — but

the status and scope of the occasion will be, in the fashionable parlance, diminished and degraded.

So the 45 minutes after Prayers on Tuesday were a collector's item, and MPs knew it.

John Macdonald (Lab, Glasgow Cathcart) was the first to put into words what was on every mind. He congratulated Mr Dewar on this "last Scottish Question Time" and wished him well in the new parliament where, Mr Macdonald was confident, Mr Dewar was shortly to take control.

Early indication of the trouble Mr Dewar will face there came from the only Scottish



MATTHEW PARRIS
POLITICAL SKETCH

National Party MP present. John Swinney (Tayside N) accused ministers of secret deals to "carve up" Scotland's new parliament, which would be forced "to take London's orders from new Labour". Labour MPs clucked and howled with irritation.

The minister replying, Henry McLeish, called Mr Swinney "pathetic". The front bench well knows that in Edinburgh the SNP will caricature a Scottish Labour ad-

ministration as they always have at Westminster: as an English neo-colonial satrapy run by Labour's tartan Quilings and Uncle McToms. This sketchwriter, who has for more than a decade had to endure and report these squabbles at Westminster, felt a huge inward relief that this regular Labour v SNP fixture will from now on be played away.

Just how much will be played away was brought

home when Mr Dewar appeared to rebuff even a friendly question from behind him — from Rosemary McKenna (Lab, Cumbernauld and Kilsyth). Mrs McKenna asked about "modern apprenticeships" and "lifelong learning" and wondered what good news he would shortly be reporting on both — to the Scottish parliament.

Mr Dewar replied that he was not sure it was for the Commons even to inquire. Nicholas Winterton (C, Macclesfield) remarked that there was shortly to be a "massive transfer of power" to Scotland (Dewar congratulated him on "getting to the nub

of the matter with uncharacteristic speed") and asked the Secretary of State how much of this Scottish MPs at Westminster would remain able to monitor. Not a lot, it appeared from Dewar's reply.

Harry Cohen (Lab, Leyton and Wanstead) opened up what may prove an entirely new front. Asking about Scottish law on male rape (laws which he thought illiberal) the cheeky Londoner spoke rather as MPs do at Foreign Office Questions when they scold the Foreign Secretary over threats to human rights in legislation abroad. Mr Cohen's colleagues looked confused. An English progres-

sive thinker is in favour of Scottish self-government, but against infringements of human rights. Which trumps which? Urgent guidance required from Millbank.

Sir Teddy Taylor (C, Rochford and Southend E) asked how, as Scottish first minister, Mr Dewar planned to advise Westminster MPs of his parliament's doings. He replied that they could read about it in the Scottish parliament's official report.

"I am not sure," Mr Dewar added in his customarily mournful way, "that was the most exciting answer I have ever given, but I hope it may be my last."

NEWS IN BRIEF

Poll shows pessimism in Ulster

Tony Blair will hold further talks with Northern Ireland's political parties on the deadlocked peace process this week, but a poll has shown that just half of the province's population believes that the Good Friday peace accord will survive another year. Bertie Ahern, the Irish Taoiseach, had been expected to join the talks at Downing Street, but in a clear sign that no breakthrough is imminent he will not. The Irish Times RTE poll showed that support for the accord has risen to 73 per cent, but 52 per cent believe that it will survive another year and just 26 per cent believed there would be lasting peace. Seventy per cent said that politicians should compromise.

Libel impasse

A High Court jury failed to reach a verdict on a libel action brought by the Tory MP Bill Cash against the *Sunday Mirror* for calling him a "gutless turncoat". Mr Cash will decide whether to seek a retrial on the 1992 story, which said he deserted miners in his constituency in their hour of need.

Quiz show wins

Who Wants To Be A Millionaire, the most successful quiz show in television history, won a silver rose at the Montreux Television Festival. The ITV programme has audiences of nearly 19 million. The Golden Rose of Montreux went to *The League of Gentlemen*, a BBC2 sketch show.

Skateboard death

Kristina Jacobs, 7, died after her skateboard rolled from the drive of a house in Crowborough, East Sussex, into the path of a passing car, police said. The girl is believed to have been lying on the board when it was hit by a slow-moving Mercedes saloon.

Beef is back

The number of vegetarians in Britain is falling and beef consumption is back to the level it was at before the BSE crisis started, the annual Realist Survey conducted by Gallup says. Five per cent of the population, roughly 3 million, are vegetarians, a fall of 0.4 per cent over the year.

Race debate off

The Oxford Union has cancelled a debate featuring John Tyndall, the British National Party Chairman, after police raised security fears in the wake of nail bombings in London. The Oxford University debating society invited the far-right leader to a debate on racism on May 17.

Poor election results 'could topple Hague'

By Roland Watson, Political Correspondent

WILLIAM HAGUE was warned yesterday that his attempts to reposition the Conservative Party have left him vulnerable should poor mid-term election results spark a challenge to his leadership.

MPs on the Right said that in such a contest, Mr Hague's decision to ditch Thatcherite baggage would cost him the support of significant numbers of rightwingers, many of them his supporters during the John Major succession.

That warning came as it emerged that Labour is looking to capitalise on the low Tory showing in the polls — by eyeing up seats it could take from them in a general election. Labour has drawn up a target list of 25 where Tory MPs have a majority of less than 2,000; ministers canvassing for local elections have made a point of visiting them.

John Prescott, the Deputy Prime Minister, was yesterday in Weymouth — part of Dorset South, where the Tory majority is 71. Alan Howarth, Culture Minister, was in Hexham — Tory majority 222. Alistair Darling, Social Security Secretary, has canvassed in Mid Norfolk, which the Tories hold

by 1,336 votes. Party chiefs at their Millbank headquarters will pore over election results in those areas to decide if they may be vulnerable. The revelation that Labour has not ruled out increasing its 176-seat Commons majority will further unsettle Tory morale.

Speculation about Mr Hague's leadership prospects had already returned to Westminster after his attempts to move his party away from a free-market approach to the welfare state. Tory MPs from across the spectrum are agreed that results in next week's local elections, together with the party's showing in Scotland, Wales, and at the European elections in June, could prove critical to Mr Hague.

It also emerged yesterday that Tory strategists were relieved not to have to fight a by-election in Newark after the initial disqualification of Fiona Jones. First surveys in the Nottinghamshire seat, won by 3,016 votes, suggested Labour would have kept it.

Although few yesterday were predicting a leadership challenge, many said it could emerge as an issue over the next six weeks. In Mr Hague's

favour, there is no credible candidate with sufficiently Eurosceptic views for the Right to back. MPs say that although Francis Maude was seen as a possible challenger, the Shadow Chancellor had bound himself to Mr Hague's reforming drive. The only other contender is considered to be Ken Clarke, the former Chancellor, whose pro-European views are antipathetic to too many Tory MPs.

Also, the Tories are certain to make gains in all the elections, although a failure to improve by more than 1,000 council seats from the party's low watermark four years ago would set alarm bells ringing.

Even MPs from the Right who helped Mr Hague become leader said that he would be unable to count on large sections of support again. "He has isolated pro-Europeans and now he has isolated free-marketters. That's a lot of people," said one.

Another suggested the critical point would come if the elections show the Tories beached on their present 27 per cent showing.

Leading article, page 21



The odd-job couple: Bernard Manning emerges as the Tories' answer to Sean Connery in Scotland. Diary, page 20

Howard backs party leader

By Mark Ingfield, Political Reporter

THE Conservative Party had been right to elect William Hague as its leader ahead of him, Michael Howard said yesterday.

His verdict, coming less than a week after he severely criticised the speech by Peter Lilley that provoked Mr Hague's most serious internal revolt, may surprise Tories. But Mr Howard, the Shadow

Foreign Secretary, put up a united front yesterday despite the dressing down that he gave his party leader at a Shadow cabinet meeting last week.

Colleagues are still talking of the way he tore the speech apart, paragraph by paragraph, jabbing his finger at every new violation of the Thatcherite creed that he holds so dear.

"I think the party made the right decision," Mr Howard told *The Times* yesterday. "I think William has been able to do things in the party, in respect of organisation, in a way I could not have done."

"He has been able to look at things with a newer look than I could. And of course he was not as associated with the last government as I am."

Although Mr Howard, accepted that Mr Hague was facing an uphill struggle to win the hearts and minds of his



Howard: standing down

own party and the public, he insisted it would happen in the end. "I think the public will come around to appreciate his very considerable abilities and I don't think we should be obsessed about what the polls tell us at the moment because that can change."

Mr Howard has decided to

stand down from frontline politics after Mr Hague's summer reshuffle. He claims that he finds being in opposition frustrating. He refused to comment on the row that has split the Shadow cabinet. "I am not going to say any more than I have already," he said. "If you want to know exactly what Peter Lilley was saying you will have to ask him."

There is history between Mr Howard and Mr Hague who famously betrayed Mr Howard during the 1997 Party leadership contest. Over a glass of champagne at Mr Howard's London home, he pledged his support the older MPs candidature. In the end, he ran himself and won.

Asked if he was disheartened by William Hague's poor poll rating, Mr Howard said: "He needs time and should be given time. I don't think we should be obsessed by what the polls tell us at the moment."

Heads' union to back Ofsted

By Hannah Betts

A GROUP of head teachers from "beacon schools" is behind a new union that aims to support Ofsted and education reforms.

They are all disillusioned members of the National Association of Head Teachers, who complain at the leadership of the general secretary, David Hart. Mr Hart led the move last week to ask the Director of Public Prosecutions to investigate accusations that Chris Woodhead, head of Ofsted, had an affair with a sixth-former more than 20 years ago.

Jim Hudson, a founder of the new union and head of a school in Milton Keynes, said yesterday: "The Woodhead decision was the straw that broke the camel's back, but we have been considering this for some time. When is there ever a pro-active, positive reaction from teaching unions?"

Most of the 30-strong rebel group are members of the National Outstanding Primary Schools School-Centred Initial Teacher Training Consortium, a group of 50 schools that has formed a teacher-training institution with the blessing of Mr Woodhead. Each has received an outstanding inspection report, and many are also "beacon schools", which are Government designated centres of excellence.

Mr Hart said: "They think that this is about being pro or anti-Woodhead, but it is not. It is about integrity in public life." The new union will be called the National Association of Primary Teachers.

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Teenagers face life for friend's murder

Judge delays sentencing to study implications of 'barbaric' case for society, Richard Duce reports

TWO college students who stabbed their best friend to death because "he got on their nerves", then burnt and dismembered his body, were last night facing life in jail.

Mr Justice Newman said that the murder of Russell Crookes, 17, posed wider questions for society, prompting him to delay sentencing until next month to enable him to study the case more fully.

Graham Wallis, 18, had admitted murdering Russell in the grounds of Hadlow College, Kent, in May last year and was the main prosecution witness against Neil Sayers, 19, who was yesterday convicted of the crime at Maidstone Crown Court.

Mr Justice Newman said yesterday: "This brutal murder raises questions of the first importance touching both these defendants, their future life in society, the interest and plight of Russell Crookes' family, the interests of the defendants' family, the interests of Hadlow Agricultural College, and more than that, the interests of society at large."

"I have taken steps to see that at the time of the court sentencing for these young men it is as fully informed as it can be."

The jury, which took 80 minutes to convict Sayers of murder, had earlier passed the judge a note that read: "All members of the jury express their concern about the lack of supervision and adequate pastoral care of the under-18s resident at the college."

Outside the court yesterday Russell's father, Malcolm, an engineer said: "We can't comprehend how anyone could do that. Most civilised people could not. How could anyone do that to a fellow human being and a friend?"

Russell's sister Sarah, 31, said: "It has been a terrible ordeal for us. We don't know how we have managed to cope."

The families of both Wallis and Sayers refused to comment.

Detective Chief Inspector

Dave Stevens, who led the murder enquiry said: "This case has been one of the most disturbing Kent police have investigated."

"Perhaps the most disturbing feature was the two young men, who were Russell's close friends, could turn on him in a such a barbaric way."

Mr Stevens said that evidence of a teenage secret society and a preoccupation with violent videos, particularly about the SAS, had not helped police to establish a motive for the killing.

In a statement, Elizabeth Browning, the chairman of the board of governors at Hadlow, said that the case "has heightened our awareness of the vulnerability of young people."

"A large part of the college resources and energy are directed towards creating a secure, structural environment for students. This is a tragedy for all concerned, particularly for the families of the three young men at the centre of this trial. Our thoughts are with them."

The judge will pass sentence on Wallis, from Croydon, South London, and Sayers, from Gillingham, Kent, on May 7.



Russell Crookes, centre, who was stabbed to death by his student friends, Neil Sayers, left, and Graham Wallis, right. They burnt his body and buried it in a shallow grave

They entered the woods boys. They came out killers

Pair's motive for turning on their friend may never become clear, writes Richard Duce

ON A moonlit May night in the Kent countryside near Tonbridge, three close friends from the horticultural college at Hadlow went wandering in the woods, as they had often done before, to share the pleasures and enthusiasms of late adolescence.

But by the night's end one was dead, murdered in chillingly cold blood by the other two. All three were from professional middle-class families: the victim was Russell Crookes, the son of an engineer, the murderers Graham Wallis, son of a bank manager, and Neil Sayers, an army officer's son.

What brands the killers most of all is their detachment. They were callow youths still chained to boyhood interests, yet they were callous beyond belief. Having stabbed Crookes at least twenty

times and set fire to the body, Wallis and Sayers returned calmly to their college rooms to refresh themselves on orange squash and ginger-nut biscuits, returning later to bury the remains. Unfortunately for them, they could not be bothered to go down beyond a spade's depth, allowing a passing dog on a walk with his owner to sniff out the evidence 12 days later.

On May 13 last year the three appeared to be a close-knit gang calling themselves The Brotherhood, after a popular computer game on army tactics. They went to a cove less than a mile from the college, which they had named their "training ground". They would smoke and drink into the early hours of

the morning. They had discovered a mutual interest in survival skills taught to special forces behind enemy lines and, unknown to the college authorities, would often take sleeping bags and spend the night in the woods. None had a girlfriend, although Crookes made it clear that he did not like homosexuals.

Somewhat, as time went by, the dynamics of their little set had changed. As midnight of May 13 passed, and the distant sound of the college disco faded into silence, the three sat staring into the remains of their camp fire.

As Crookes, wearing shorts and new Reebok trainers, stood up to go, he was stabbed through the

chest and fell to the ground. He turned to Wallis for help but was stabbed at least 19 more times.

His body was rolled to the campfire, where it was doused with lighter fluid and torched. His killers calmly returned to their college rooms, returning later to bury their victim in a grave which, had it been a little deeper, might have had Russell Crookes listed for years as a missing person rather than a murder victim.

Sayers and Wallis had decided some days before that they would murder Crookes. Sayers had brought a pickaxe from home and the two had chosen a burial site but, in a trial run, the chosen ground had proven unyielding

and in the event they chose a shallow grave in the undergrowth.

Victim and killers, three among a thousand students at the State-run college, formed a close bond from their first days there in September 1996, when they arrived to study for a BTech in horticulture. Sayers, whose father served in the Royal Engineers, had a collection of knives which students say he polished obsessively. He is said to have been bullied at school and to have been dissuaded by his father from a military career.

Wallis, on the other hand, spread his interests to classical music, listening to Radio 4, and pursuing the occult. He was a gangly youth whom students described as

"a bit camp" and who wore his hair in a 1970s quiff.

Crookes was far from gangly — he was a big youth, 6ft tall and 14 stone. He is described as the most ebullient of the three, who began to bully the other two. At first Sayers and Wallis laughed it off but during the trial it emerged as the only possible reason.

Crookes began to taunt Sayers as being a "pansy" and referred to Wallis as "Lord Ponsonby" or "Gay-bum". Yet at the trial when Wallis, who admitted murder, was given every opportunity to offer some rational motive for the killing, he could not. He said it was Sayers who had initiated the murder. If there is any motive, it appears to lurk deep in the recesses of the male psyche that has not yet made contact with the real world.

The two men who chased birds for 12,000 miles

BY SIMON DE BRUKELLES
SOUTH WEST
CORRESPONDENT

AFTER a lifetime as a haters' merchant, Harry Howard decided that he had had enough of making braid bows for tributes. So he packed his bags and his binoculars, kissed his wife goodbye and set off around the world to watch birds.

A year later the 59-year-old Lancashire businessman can claim a world record for bird-spotting, having seen a representative of every one of the 202 bird "families" in less than a year. He was accompanied by a professional ornithologist, Derek Scott, who planned their itinerary of 28 countries with such precision that they missed neither a bird nor an aircraft.

Hitting their target required two round-the-world trips, six months apart. The first, lasting 54 days, took them to countries in the Northern Hemisphere, the second, spread over nine weeks, was to the Southern.

In between, they fanned visits to Central Asia, East Africa and West Africa. They kept it up right to the end, with trips to Southern Africa, Mexico and Switzerland in the final weeks of the 12 months.

Altogether they sighted 2,726 different types of birds. But Mr Howard never saw his wife, Freda, again. Shortly after arriving in Brazil on his second



Mr Howard at home after his record bird-spotting trip

and journey she fell ill and before he could get home she had died of cancer. As his wife had encouraged him to attempt the record in the first place, Mr Howard decided to resume his travels after a brief visit home for the funeral.

Mr Howard, from Arnsdale,

had never suffered from "twitzy" feet and his most exotic birdwatching trips had been to Morecambe Bay. Then he met Mr Scott.

He said: "Derek's parents were neighbours and one day we were out birdwatching together and got chatting, as you

do in idle moments. He said to me: 'I have often thought that you could see all the bird families in the world in a year but nobody's ever done that. I never forgot that.'

"Many years later I was looking at my bank statement and thought, 'I've got enough money to go', so I just got up out of my armchair and went."

Mr Scott, from Dursley, in Gloucestershire, was already a professional ornithologist who had recorded 6,400 species on birdwatching trips to more than 120 countries. He said: "It was more than just about record-setting. It was Harry's trip of a lifetime."

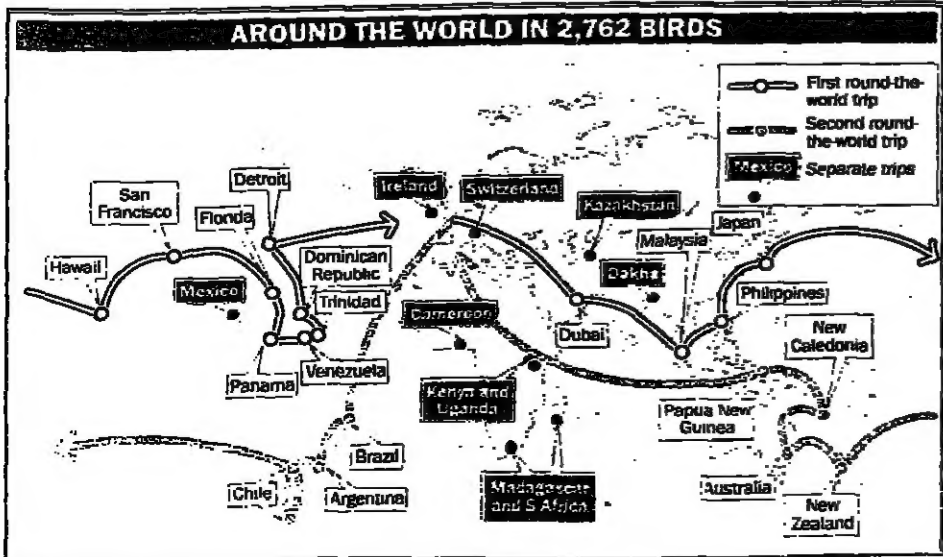
What made it difficult was that 40 of the bird families have very few species and in some cases only one. "Finding them requires some special effort as they are very localised, scarce, strictly nocturnal or very secretive," Mr Scott said.

Their epic journeying involved 80 scheduled flights on 31 different airlines. They stayed in 83 different hotels and spent 11 nights in forest shelters or tents. More than 12,000 miles were clocked up in 25 different self-drive cars over 89 days in 17 countries. For another 31 days, hired vehicles with drivers took them around Kenya, Uganda, Kazakhstan, Cameroon, Argentina and Madagascar.

Two dozen trips were on water. Epic footslogging included eight miles in deep snow in Kazakhstan's Altai Mountains. Once they waited three days to see a rockfowl in the Korup National Park of Cameroon, West Africa.

Since his return, Mr Howard has resumed work as Britain's last haters' merchant. A few days ago he heard that an acquaintance was planning to take part in a round-the-world car journey and needed a navigator. "I was tempted for a moment," he said. "But only for a moment."

LINKS
Birds: www.birds.co.uk/services/birds.html
Birdlife International, an umbrella body for bird groups worldwide: birdlife.org/birdlife/birdlife.htm
The British Trust for Ornithology:



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Gunman waited for victim's return

Witnesses saw suspect in street an hour before attack, write Michael Harvey and Stewart Tendler

THE man who killed Jill Dando may have paced up and down the streets around her house in Fulham for an hour waiting for her to arrive home, detectives said yesterday.

In what police described as a "brutal attack", the killer put a gun to Miss Dando's head and fired a single shot as she stood at her front door, holding shopping bags in both hands. There was no sign of a struggle.

Police have at least seven witnesses who saw a smartly dressed suspect in the area before and after the murder. The witnesses suggest that the killer was walking the streets from about 10.30am.

After the murder he could have rushed to a nearby park, dumped the gun, coat and a pair of glasses in the Thames and made his escape.

He was last seen at a nearby bus stop. Yesterday Detective Chief Inspector Hamish Campbell, leading a team of more than 30 detectives, said the killer could have ended his getaway by catching a bus towards South London.

Bus drivers on the Number 74 service, which runs every ten minutes to Roehampton past the murder scene, have been questioned by police in case they picked the man up.

Yesterday officers began investigating Miss Dando's private life, tracing former boyfriends and talking to BBC staff about any threats she may have received.

Mr Campbell said that Miss Dando began the day at the home of her fiancé, Alan Farthing, in Chiswick. She talked to a friend on the telephone and then left shortly after 10am.

She stopped in Hammersmith and went shopping in the large mall in King Street. Police are now looking at closed circuit television to see if anyone was following her.

Miss Dando then drove home to Gowan Avenue and arrived just after 11.30am. A neighbour heard her get out of her car, switch on the alarm, which gave two short beeps, and then walk to her door. She was due to go to a fashion photo shoot in the afternoon and then go for a fitting for her wedding dress. Mr Campbell

said that her killer was either waiting for her or had followed her through the gate.

Richard Hughes, who lives next door, heard a scream. The killer pressed the gun to the side of his victim's head and fired. Police think that the shot was so close that much of the sound from a semi-automatic firing a single 9mm bullet was muffled.

The first man to see the suspect in the area was Alan Taylor, 55, who was cleaning windows at a house opposite Miss Dando's property at No 26. During a cigarette break upstairs he looked out of the window and saw a man on the other side of the street walking up and down outside the television presenter's elegant two-storey terraced house.

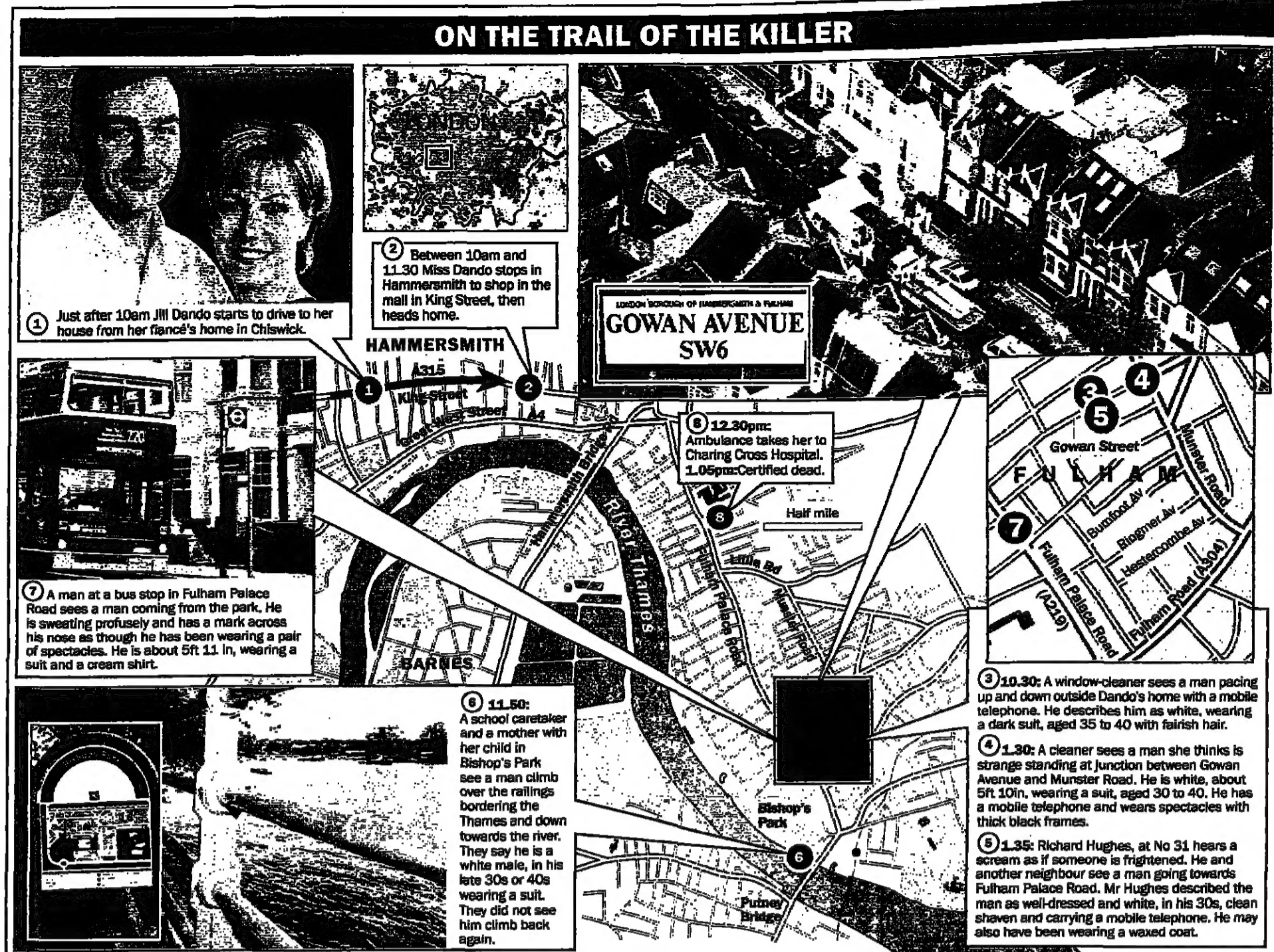
Mr Taylor said: "It was about 10.30am I noticed this man. I thought he looked like an estate agent. He was suited and booted and he was looking at a couple of the houses. I did not take much notice because you get a lot of estate agents round here."

"It was only later when I found out what happened that I realised I might have seen the murderer. He was stocky, wearing a dark suit and he seemed to have fairish hair. He was definitely holding a mobile phone, but he was not acting suspiciously."

Mr Taylor, who runs a window cleaning business in the Fulham area, added: "I did not notice him when I left the house shortly after 11. That must have been only half an hour or so before Jill Dando was killed. It is a terrible thing to have happened to such a lovely lady."

A cleaner going between jobs saw a man of a similar description at the end of the road. She thought that he seemed odd because he was wearing glasses that did not fit.

A few minutes later one of Miss Dando's neighbours saw the suspect running from the murder scene. Geoffrey Upfill-Brown, who lives almost opposite Miss Dando's house, said that he was going out through his front door to go to the post office at around 11.30am when he noticed the man running down Gowan Avenue towards



Fulham Palace Road. "I came out of the house and saw the man running down the road away from Jill Dando's house. I was suspicious because people don't run in this road."

He said that the man was wearing a black jacket and black trousers, possibly a suit.

"He was in my sight for about four to five seconds. He started off running fast, but then he heard my gate click. He looked in my direction and saw me and slowed down to a slower jog. He went behind a

lorry parked in the road and I didn't see him again. He just didn't look right, he looked suspicious."

Mr Upfill-Brown, 71, who has lived in the road for many years, said he knew Miss Dando by sight. After noticing the man he set off in the opposite direction towards Munster Road and the post office. He said he passed Miss Dando's house but noticed nothing.

Mr Upfill-Brown said police had interviewed him and he did not want to give further de-

tails, but added: "He looked as if he was running away from something. Afterwards when I heard what happened I immediately went to the police."

Detectives now believe that the man may have run through Bishop's Park, close to the scene, and reached the Thames where he may have dumped his gun, a coat and a pair of glasses he used as a disguise.

A mother and her young son reported seeing a man climb over railings to the river. She

was going to confront him about setting a bad example for her son, but stopped herself.

The man was also seen by a caretaker from a local school, Jim Collins, who works at All Saints Primary School in Bishop's Park, which stands between Gowan Avenue and the river. said: "I was down by the river at about 11.50 and I saw this man going over the railings. I think he was wearing a suit and possibly had dark hair." Neither Mr Collier nor

the woman saw the man re-emerge from the edge of the river.

Minutes later a man with a similar description appeared at bus queue sweating profusely. One of the people in queue noticed he had marks on his nose as though he had been wearing glasses.

It also emerged yesterday that detectives were checking how many people visited Miss Dando's house after she put it on the market through a local estate agent.

Miss Dando, 38, who was selling the £400,000 property in advance of her marriage in September, told neighbours that a sale was going through and that she hoped to move out by July.

One neighbour said: "Initially she wanted to have a private sale because she did not want any publicity and curious fans rifling through her possessions." She said she was later surprised to see a picture of Miss Dando with the house in the agent's window.

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Weapon used in shooting popular with underworld

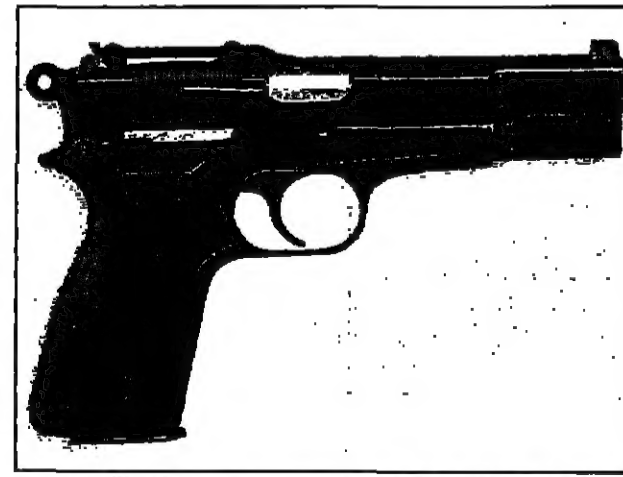
By Stewart Tendler, Crime Correspondent

POLICE believe that the gun which killed Jill Dando could have been a wartime souvenir or bought in the underworld for a few hundred pounds.

Ballistics experts have examined the bullet and the cartridge case found near Miss Dando's body and told detectives that the weapon was a semi-automatic handgun, firing a 9mm round. Similar guns have been manufactured in their millions by every weapon maker in the world since the end of the last century.

The ammunition was introduced as the metric version of the legendary .38. Almost every army and police force in the world uses the 9mm for semi-automatics. It is a powerful round that would normally be fatal fired at close range to the head.

In Britain, Browning 9mm semi-automatics were issued to servicemen in the 1950s and are still in use by the Army. Scotland Yard's marksmen and VIP protection officers are issued with a version



A gun like the murder weapon can be bought for £300

made by the Austrian firm Glock.

Civilians are now banned from owning the guns by legislation introduced after the Dunblane massacre. However, there could still be thousands of ex-service weapons and war souvenirs held in secret.

They are also readily available in the underworld and one police source said that a weapon could be bought for

£300 to £400. About half the hand weapons seized by the police from criminals in London would fit the general description of the gun that killed Miss Dando.

Underworld arms dealers would be able to supply a gun for a few days for professional criminals preparing a robbery or a murder. But finding such a supplier would be difficult without contacts.

Kate Broadhurst, a crim-

inologist of the Scarman Centre for the Study of Public Order, Leicester, said: "The sawn-off shotgun is the weapon of choice for the bank robber... this is the weapon of the drug dealer and the weapon of the professional criminal."

She said that the gun could have been hired from a criminal armoury for a day or a week. A professional hitman could get hold of it easily, but a jittery lover or a stalker would have great difficulty. "He would have to make a conscious effort. He couldn't walk into a pub in the East End and get one. Your face would have to fit in those circumstances."

Dr Paul Britton, a consultant clinical and forensic psychologist, said that in his experience contract killers used a different weapon from the 9mm semi-automatic used to shoot Miss Dando.

"People think that it must be a contract killer, but a professional contract killer would use a smaller calibre," he said. "For a head shot at short range, a small-calibre gun is more effective."

Murder detective's Crimewatch links

HAMISH CAMPBELL, the detective in charge of the hunt for Jill Dando's murderer, has been a murder detective for more than ten years working in Central London. Recently



Campbell: heads team hunting for murderer

promoted to Detective Chief Inspector, he is already investigating two of Scotland Yard's toughest cases. One is the sex murderer who attacked and killed 12-year-old Katrina Koneva in her home in Hammersmith two years ago. He worked with the Crimewatch UK team as part of the investigation. The other is the search for Gracia Morton, who vanished 18 months ago in Nottingham Hill.

Mr Campbell, 41, joined the police in 1974 and became a detective in 1979. He worked in the Anti-Terrorist Branch and also the Yard's Criminal Intelligence Branch before moving to the area major incident team at Kensington. He received three commendations in the early 1990s for his work on murder inquiries, a rape case and for anti-terrorist work.

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Record 11m tune into BBC news bulletin

By CAROL MIDGLEY, MEDIA CORRESPONDENT

JILL DANDO'S death broke audience records for the *Six O'Clock News*, the BBC programme she once presented.

Nearly 11 million viewers watched Martyn Lewis announce the murder on Monday evening, the highest recorded figure since 1992 and nearly double the average audience. Previously the programme's biggest audience had been 10.6 million when the Queen paid a personal tribute to Diana, Princess of Wales, after her death in 1997.

Figures for the day the Princess died, and for the return of her body to Britain from France, cannot be compared directly because it was a Sunday and the television schedules were swept aside to provide a rolling news service. The audience that day peaked at 9pm with 8.3 million viewers.

However, many viewers said that the level of public shock was reminiscent of that after the Princess's death. Adam Hazelwood, from London, sent an e-mail yesterday stating: "It feels like a déjà vu of the tragic circumstances in Paris two years previous."

A BBC spokesman said that the overwhelming response to Miss Dando's murder was a measure of how much affection and respect the public had for her. At one point condolence calls were flooding into the BBC switchboard in London every two seconds. E-mails were sent to BBC News

Online at four a minute and the BBC website registered its highest number of page views — three million — since its launch in November 1997.

Monday's *Six O'Clock News* figures are unconsolidated and may turn out to be higher. That day the *Nine O'Clock News* audience

PEAK TIME

The *Six O'Clock News* usually attracts an audience of between six and seven million and it takes a huge news event to elevate the figures above eight or nine million. On the day the Allies went in to bomb Belgrade last month the figure reached 7.2 million at its peak. When that Tony Blair took over at 10 Downing Street, the figure was just over eight million.

Britain to meet demand from those seeking to express sorrow and sympathy.

The next edition of the monthly *Crimewatch UK* will be shown, as planned, on May 18, with Nick Ross presenting it alone. "Jill cared passionately about *Crimewatch UK* as a public service programme and... would have wanted the series to carry on," a BBC spokesman said.

Miss Dando will not be replaced as co-host on May 9 of the *Bafta Television Awards*, which Michael Parkinson will now anchor alone. It will include a tribute.

Letters, page 21



Another name is added to the book of condolence at the BBC Television Centre in London yesterday. Books were opened at BBC offices nationwide

Why this death mattered to millions

Valerie Grove says broadcaster was one of a special few who deserve generous tribute

MANY lovely young women are murdered. Some people may have found it bizarre that one sad death should inspire the Queen and the Prime Minister to issue statements, the Home Secretary to address the House of Commons, and so much airtime to be devoted to make way for instant tributes.

My view was that the television coverage of Jill Dando's killing on Monday night was well judged. Such was the unexpectedness of it, if there had been less coverage we would have felt cheated of a conduit for our curiosity to know: where did that bright, energetic, effervescent girl spring from? What was she really like? At what stage was her life when it was so brutally cut short? Why would anyone want to kill someone liked by all?

That the Queen should have been moved to comment was interesting on several levels. Perhaps the Royal Family used to find themselves remarking on Dando's likeness to Diana, Princess of Wales. Perhaps the

Queen often finds herself switching on *Holiday* or *Crimewatch*. Perhaps — I hope not — Her Majesty was pushed to comment because her press office was asked to do so, and was mindful of the misplaced reliance on the last occasion when the death of a blonde thirtysomething caught the sentimental hearts of the nation. I prefer to think that the Queen intuitively recognised that Dando's shining likability and proficiency on screen singled her out to merit a royal tribute.

Our reactions to deaths of public figures are not arbitrary. There are some we care about and others we barely blink an eyelid about. Television fame confers an aura of intimate friendship on some. We read the obituary pages without feeling much when an aged general or a brilliant

professor has reached the end of a long and useful life. On the deaths of sovereigns and statesmen, media coverage is expansive but dutiful. Only a handful of people have the special qualities that cause genuine sorrow and regret among millions at their deaths. Kennedy, John Lennon, Diana, fall into this category, cut off in their prime, afflicting even the most robust and cynical, etching themselves into the collective memory.

There is a gulf between the polite regret with which we greet news of some "household name" passing and the involuntary welling of shock and grief that is the true test of whether we care. Most of us, who saw Dando only on the screen, discovered that we cared.

Many terrible crimes go almost unremarked — children killed by hit-

and-run drivers, helpless pensioners battered to death. It is not heartlessness but the impossibility of feeling involved in lives that do not impinge on us personally. Then suddenly a death occurs that focuses our fears about contemporary society. Because she stood bravely in the studio appealing for help in solving crime, Dando stood for right versus wrong.

The fact that the news of her death came in the middle of bulletins about the racist bombs in London and the Prime Minister's statement on the Nato summit only pointed up its relevance. Giving us a means of focusing our anger and compassion is vital in a vile and violent world. We are desperately moved by the plight of the Kosovo refugees — for whom Dando helped to raise £10 million with a televised appeal. Like the Princess of Wales's efforts for landmine victims, it left a final impression of a powerful potential for good snuffed out. That alone merited the airtime.

Flowers form a shrine outside house

By MICHAEL HARVEY

THE pavement opposite Jill Dando's home yesterday became a flower-decked shrine to the television presenter.

Floral tributes arrived steadily throughout the day in Gowan Avenue, Fulham, West London. By late afternoon more than 50 bouquets lay lining the wall of a neighbour's house.

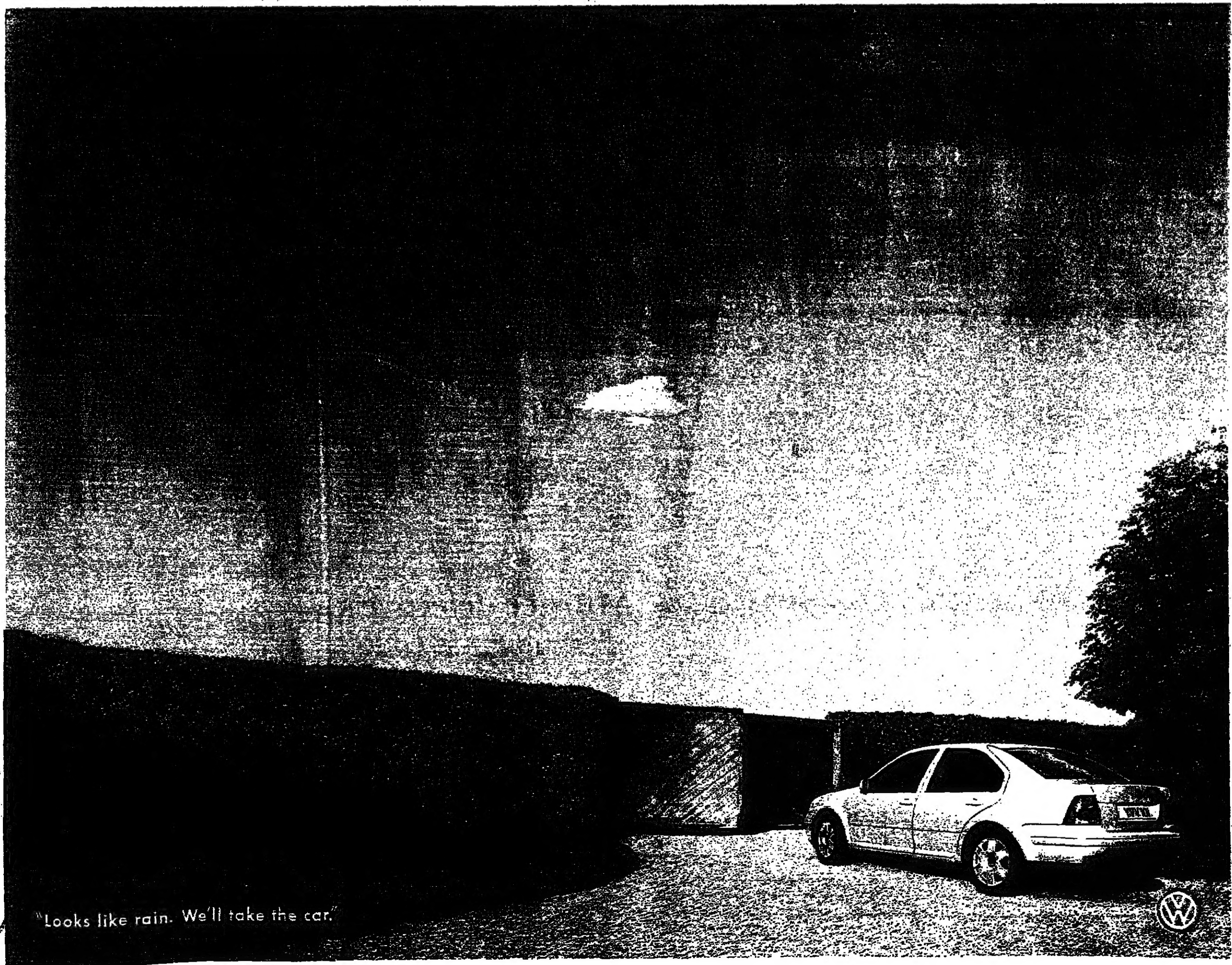
Chief among them was a dozen yellow roses sent by Nick Ross, her *Crimewatch* co-presenter. Using the catchphrase with which he ends the programme, he wrote: "To Jill, we will miss you dreadfully. Do sleep well, Nick."

Next to it was another bouquet from other colleagues on the programme. The card on the dozen red roses said: "With love from the *Crimewatch* team." There were also bouquets from co-workers on the *Holiday* programme which she fronted so successfully.

A large bouquet of pink roses and white tulips had a *Holiday* programme postcard attached with the message: "Dearest Jill, You touched us all. We'll miss you so much. With all our love, your friends on *Holiday*."

Her popularity among the general public was signalled with a wide range of loving tributes. One from Zhara Behzadi, 8, was decorated with a smiling drawing of the presenter and the inscription: "I was very sad about the sad news. I will miss you." Another inscription with white roses said: "Rest peacefully. Sleeping Beauty." A card with a bunch of pink carnations asked: "Can anyone tell us why? We've lost another English rose."

The flowers were delivered by florists from people as far away as Edinburgh. One large bouquet arrived by black cab. The driver said that a distraught young man had handed them to him at Victoria station, given him £20, and asked him to lay them on the spot where she died.



"Looks like rain. We'll take the car."

Kirk opens its arms to prostitutes

Church of Scotland wants moral condemnation switched to kerb crawlers, reports Ruth Gledhill

PROSTITUTION is no greater a sin than adultery and more should be done to minister to prostitutes and those who use them, a church report published yesterday says.

The Church of Scotland, urging its members to "love" prostitutes rather than condemn them, is calling for a debate over the decriminalisation of prostitution. It also wants Scotland's new assembly to consider a kerb crawling law that shifts moral condemnation from the prostitutes to the men who use them.

"Consideration needs to be given to ways in which both men and women can be supported and protected and can be helped to escape from prostitution," says *On Prostitution*, published by the Church's Board of Social Responsibility. "There is no evidence to support the claim that criminalisation reduces the level of prostitution."

The report notes that Jesus was descended from a prostitute, Rahab, and that one of his followers, Mary Magdalene, is thought by some scholars to have been a reformed prostitute.

"While the Church views prostitution as immoral, it is no greater a sin than, for example, adultery," says the report. "The overused maxim, 'Love the sinner, hate the sin,' applies not only to those who prostitute, but also to all of us who sin in other ways."

It continues: "The Church's

calling is to affirm God's love for those whose self-esteem has been unimaginably diminished, to draw near them in love and, as fellow sinners, to offer the good news of forgiveness and renewal through faith."

In Scotland, unlike England, kerb crawling is not an offence, but prostitutes can be fined for loitering with intent, soliciting or importuning in a public place. They can then be jailed for not paying the fine.

"There is a body of informed opinion that fining and imprisonment are ineffective, that the offence should be decriminalised by removing the option of a fine which may lead to a criminal record and that alternatives to custody options involving rehabilitation should be introduced," says the report.

The Church decided to address the issue in 1997, shortly before the violent murder of a prostitute in Glasgow, one of a number of such killings in recent years. It comes after reports on gambling and alcohol abuse. One on abortion is also published this week.

The Church says that in Edinburgh an informal "tolerance" zone has been established where women are left relatively undisturbed by police as long as they remain within the specified area and there fewer than ten at a time. The report, to be debated at the general assembly in Edinburgh next month, says that



The oldest profession: Glasgow police raiding a brothel in 1871. The Kirk report says that women should be helped to escape from prostitution

most women become prostitutes through poverty, homelessness and sexual abuse. "Prostitution, alongside petty theft and begging, is a survival trap into which women can be drawn only too easily," it adds.

There are thought to be about 5,000 prostitutes in Scotland, with 50,000 clients between them. In Glasgow there has been a big increase, from fewer than 100 prostitutes 25 years ago to more than 900

today, because of growing heroin addiction. Church of Scotland counsellors work with those prostitutes who reach one of their seven drug rehabilitation centres. However, the Church no

longer has its Edinburgh "counsellors" project, which ran for four years until 1993 and helped prostitutes to find alternative employment.

The social responsibility board is calling on the Church "to consider how a ministry to women in prostitution and to men who use prostitutes could be developed". This would take the form of counselling and advice, depending on any available funding.

Ann Allen, chair of the board and wife of the Rev Martin Allen, Minister of Christ Church near Glasgow, said the Church decided to examine the issue after charities such as Barnardo's and The Children's Society spoke out.

about the increase in young people turning to prostitution. "One of our major concerns has been how we deal with men who use prostitutes, what their concerns are, why they use prostitutes, how we can help them," she said. "We want to know how we can bring about different circumstances where women never have to resort to prostitution."

The board recommends that projects be set up in Scotland similar to the "John School" at Leeds Metropolitan University, where men arrested for kerb crawling are offered rehabilitation as an alternative to a court appearance. Results indicate that one third of men sent to the school do not reoffend.

WHAT THE BIBLE SAYS

Most Bible passages condemn prostitution unequivocally. — *Deuteronomy xxi, 18* describes prostitution as "an abomination to the Lord your God". *Proverbs vii* compares a man who uses a prostitute to an ox going to the slaughter, or a bird rushing into a snare. "Her house is the way to Sheol, going down to the chambers of death," says verse 27. Apostates are compared to the children of prostitutes in *Isaiah lvi, 3-5*. *Revelation xvii* contains a graphic description of a "great harlot", seated on a scarlet beast with seven heads and ten horns.

However, other Bible passages express God's forgiveness of repentant prostitutes. Jesus's ancestor Rahab, a prostitute, was "saved by faith" (*Hebrews xi, 31*). Tamar, posing as a prostitute, was made pregnant by her father-in-law, Judah, who declared her "more righteous than I" (*Genesis xxxviii*). Prostitutes were among those who repented at the preaching of John the Baptist. Jesus said that those prostitutes, along with tax collectors, would enter the kingdom of heaven before some of the religious leaders of his day (*Matthew xxi, 31-32*). St Paul reminds his Corinthian readers that some of them were once prostitutes (*1 Corinthians xii*). In *John viii*, Jesus invites any onlooker without sin to throw the first stone at the woman caught in adultery. When the crowd dwindles, he says to her: "Go, and sin no more."

Reburial for a man who feared water

By SHIRLEY ENGLISH

A WOMAN has won her seven-month fight to have her husband's body exhumed from his flooded grave because he was terrified of water in life.

Council workmen reburied Allan Munro, 62, last week in a higher plot in Shawfield Cemetery in Selkirk in the Scottish Borders on Thursday. His widow, Ethel Munro, 57, claimed he suffered from a fear of water after watching his brother drown in 1958.

Flooding at the council-run cemetery came to light at Mr Munro's funeral last year when mourners were distressed to hear water lapping against the side of his coffin as it was lowered into the ground. His widow complained when she returned later and found the flowers and wreaths floating above the grave.

Yesterday she said: "It has been an absolute nightmare and for the last eight months my life has been a living hell. Losing Allan was painful enough, but to know he was lying in 6ft of water was more than I could cope with."

Last Thursday, on the day Mr Munro would have been 63, his widow and three grown-up children stood at his new graveside where a short memorial service was held.

A spokesman for Scottish Borders council admitted there had been a problem with a fractured drainage pipe at the cemetery after heavy rain. It had been repaired, but as a gesture of goodwill the council agreed to pay to move Mr Munro's body.

NEWS IN BRIEF

Police shoot rampaging bullocks

Police shot dead two escaped bullocks that attacked cars and destroyed gardens during a three-hour rampage through Dudley, West Midlands, on Monday. One of the animals repeatedly rammed a minibus carrying several elderly people, none of whom was injured. Police chased it into the grounds of a factory and shot it.

The other headed the wrong way down a busy road, colliding head-on with a small car before making its way to the Merry Hill Shopping Centre, where it was shot. Police are trying to trace their owner.

Video error

An apology has been sent to parents given a video of a musical performed by pupils at Greycoates School, Oxford, that contained an episode of the Channel 4 series *Queer as Folk*, in which homosexual acts are shown.

Ruddock cleared

The footballer Neil Ruddock, 30, was cleared by Havering magistrates of using threatening behaviour after charges against him and Richard Nelson, 37, were dropped because of "discrepancies" in evidence.

Rank cruelty

Lance Corporal Nigel Horsley, 23, who ironed a hamster before roasting it in a microwave oven, was reduced to the ranks and jailed for 140 days by a court-martial panel at Bulford, Wiltshire.

Dustman killed

A council dustman died when he was knocked down by his own dustcart. The unnamed man was believed to have been run over by a Rugby Borough Council refuse lorry in Wolvey, Warwickshire.

Thames link

John Prescott will start construction today of Central London's first new river crossing this century. The footbridge will link the Tate Gallery of Modern Art with St Paul's Cathedral.

Get 'em young

Parking tickets were put on a Barbie bike and a scooter left by Julia Burgess, four, and her brother Alexander, seven, against the front wall of their family home in Finchfield, Essex, beside double yellow lines.

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NEWS IN BRIEF

Police shoot rampaging bullocks

At least one person was killed and several others injured when a mob of rampaging bullocks ran through a street in a village in the north-east of India. Police fired shots to disperse the mob, which was carrying a dead cow.

Video error

A video recording of a man being hit by a car in a street in London has been shown to be a hoax. The man, who was wearing a white shirt and dark trousers, was seen running across the road.

Bullocks chase

A mob of bullocks chased a group of people through a street in a village in the north-east of India. The bullocks were carrying a dead cow.

Crude

A crude oil spill has been reported in the Gulf of Mexico. The spill is believed to have been caused by a leak from a pipeline.

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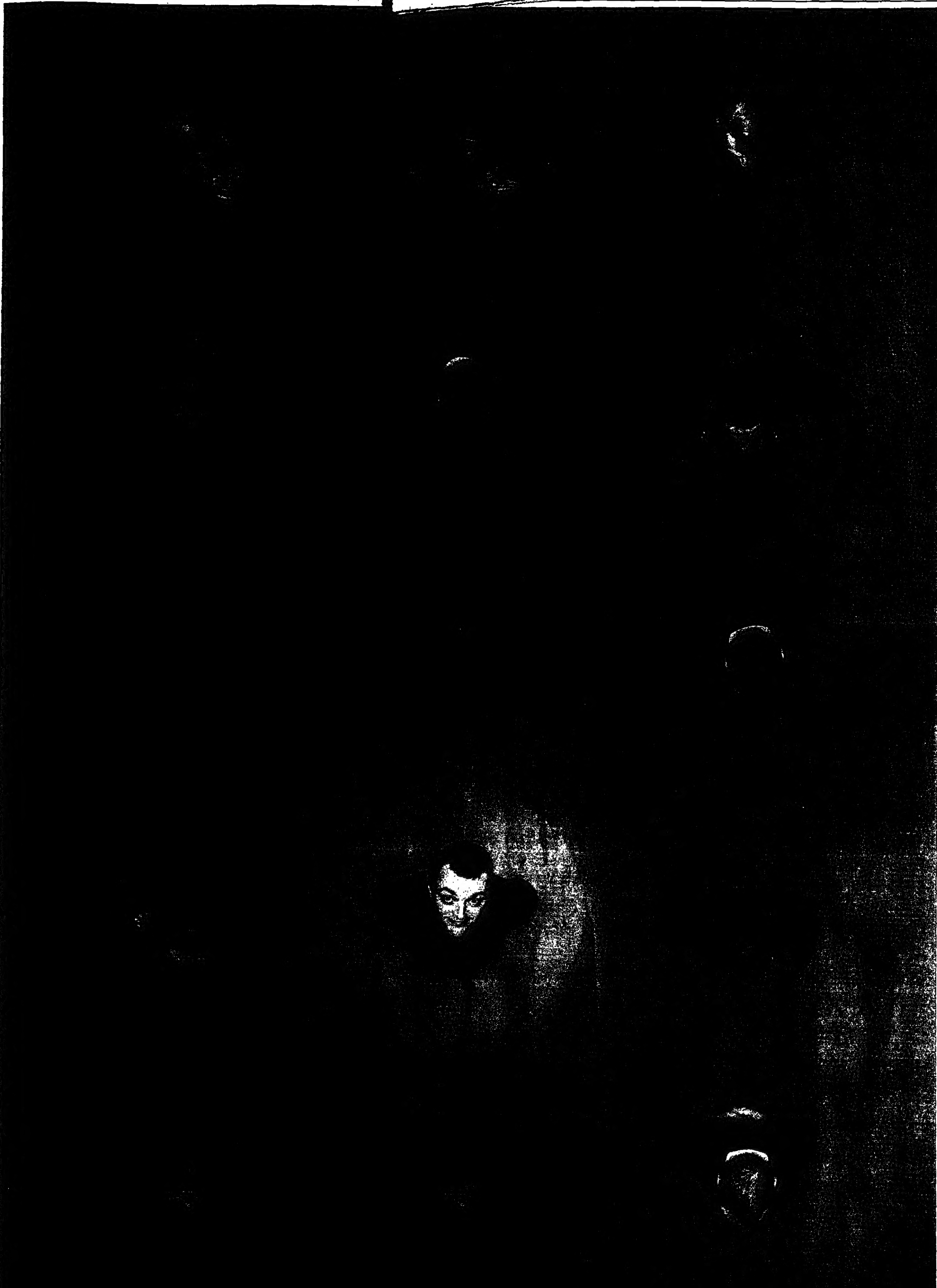
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Radar, the disability network, shares these concerns about the impact of the Bill.



THE LAW SOCIETY

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Microchip may signal end of phone towers

A tiny new transmitter could reduce countryside blight, report Paul Wilkinson and Nick Nuttall

ENGINEERS at Leeds University have developed a transmitter the size of a cigarette packet that could make planning disputes over mobile phone masts a thing of the past.

It uses a microchip which, they say, will also mean a big cut in the signal radiation that is fuelling public concern. Michael Roberts, an electronics researcher who developed the chip, said: "All the equipment necessary to receive and transmit a signal could be included in a box the size of a cigarette packet."

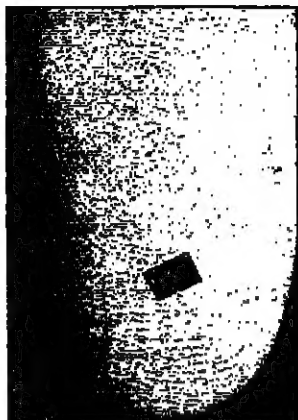
"It would make the transmitters we see in the countryside redundant and drastically improve reception in areas where it is difficult to get a signal. That's because the boxes could be attached virtually anywhere, on a lamp post, a bridge, the side of a building."

A new chip the size of a match head, called a micro-wave mixer, allows low-frequency signals — a person's voice — to "piggyback" on much higher electronic frequencies, such as those used for radar, which travel at faster speeds. These travel without being distorted, allowing a receiver up to a kilometre away to decode the message.

Stavros Iezekiel, the project leader, said current technology sent signals that required larger, more powerful transmitters. "We could have a prototype ready within a year and it could go on sale for as little as £100," he said.

"The interface needed for the boxes would be fibre-optic and that network almost covers the country at present. The usage envisaged would be mostly urban but there is no reason why a village could not have a single box, which would be sufficient."

He said one problem was



The tiny new microchip has many applications

the need for thousands of boxes to cover the country. "I can't imagine mobile phone companies paying for these boxes to be set a kilometre apart all over the countryside," he admitted. "But I am sure they would be very interested in our research." Dr Iezekiel said there were many applications for the chip, which had taken two years to complete.

A spokesman for Vodafone, which has 4,500 transmitters, said: "We would be very interested in their research, which sounds as though it could revolutionise the industry."

By the end of this year Britain will have 13,000 relay towers. Henry Oliver, the Council for the Protection of Rural England planning officer, said: "On the face of it, technology which would replace [masts] would be very welcome. For years we have suffered the consequences of a planning system biased in favour of telecommunications companies."

"They should take their corporate responsibilities seriously and this development may mean it is easier for them to

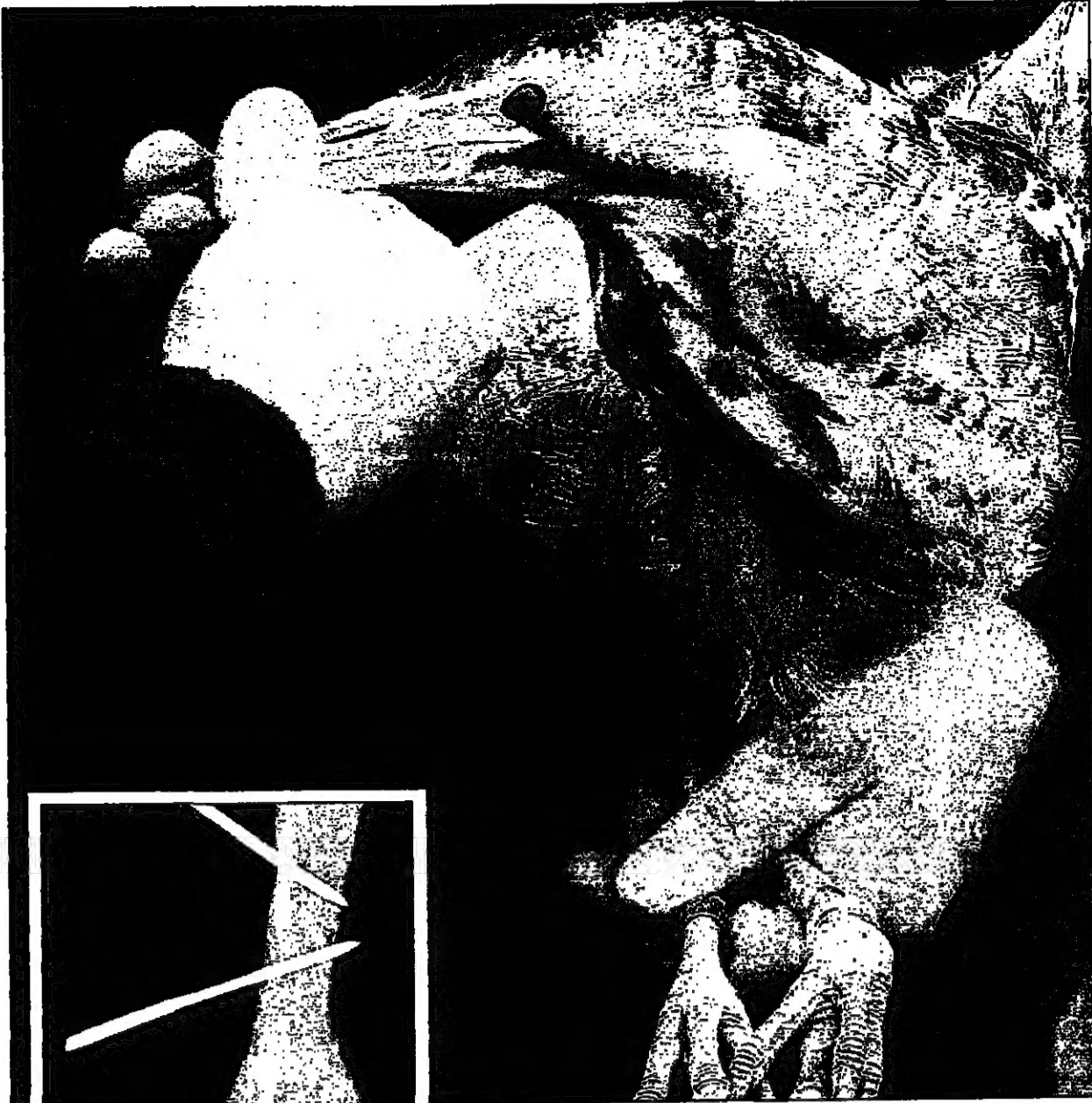
have a less damaging impact. We feel these masts should be subject to the same planning controls as anything else. You need planning permission to put up a porch at your house but not to erect an enormous mast in open countryside."

The telecommunications industry, required to cover 90 per cent of the country by the millennium under the terms of its licence, accepts unofficially that it is favoured by planning regulations. Outside designated Areas of Outstanding Natural Beauty, towers up to 50ft high are treated as "permitted development". Inside designated areas, planning consent has to be obtained. Where it has been refused, the Department of the Environment has a record of allowing at least two out of three appeals.

One of the most vociferous campaigns against the masts was in the Stour Valley, immortalised by John Constable, overlooking the north Essex village of Dedham. In 1996 three masts up to 70ft were proposed on high ground in this Area of Outstanding Natural Beauty which protesters claimed would make the landscape that inspired the *Haywain* look like a pincushion.

Protesters fought off the towers sought by Mercury, Cellnet and Orange, but 18 months ago John Prescott, the Deputy Prime Minister, overruled the local council and permitted a 90ft shared tower on the edge of the area.

A planning inspector has rejected a proposal for a mast disguised as a tree at a beauty spot because it would keep its leaves in winter. Mercury Personal Communications applied for an 80ft mast at Huish Woods, near Taunton, Somerset, that would tower 20ft above surrounding trees.



The bittern, fit after its leg operation, is checked before being freed

Bittern's lucky landfall

WHEN one of Britain's rarest birds broke its leg it could not have chosen a better refuge. The bittern, a species usually found only in East Anglia, made a painful touchdown at the Wildfowl and Wetlands Trust reserve at Slimbridge, Gloucestershire.

The bird's arrival on March 21 caused a flurry of excitement. Reserve staff immediately began trying to catch the shy 30-inch member of the heron family, but even with a broken leg it was elusive and could not be netted until a week later. Then began the job of feeding the bittern to

ensure it was fit enough for an operation on its broken leg.

On April 1, Neil Forbes, a vet from Stroud, Gloucestershire, performed an operation to pin the fracture. Last week the pins were removed and yesterday the bittern was released back into the wild.

Clare Warner, of the trust, said: "We like to think he chose to land here because he knew he would get the best possible care. It is good to see him looking so well now."

The species has been in decline in this country since the 1950s.

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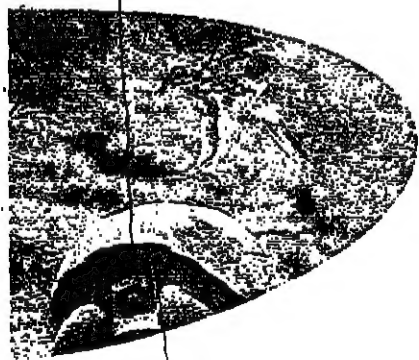
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Judge in dock as joke falls flat

An after-dinner quip aimed at political correctness upset many who heard it, reports Frances Gibb

THE Lord Chancellor is investigating reports of an after-dinner speech at which a judge was heckled and jeered after cracking a joke against political correctness.

Judge Graham Boal, QC, once chief prosecutor at the Old Bailey and now a judge there, was speaking to several hundred judges and barristers at the annual dinner of the Criminal Bar Association. He told a joke about a white heterosexual barrister who has been severely injured in an accident and wakes up in hospital to be told that various parts of his body have been replaced: he now has the breasts of a lesbian, the back-

side of a homosexual and a large black penis. "Not to worry," the man is told, "this is just the kind of barrister that is much wanted by the authorities who choose QCs and judges."

One barrister who was at the dinner said: "What a fool. But you know what it is like telling after-dinner jokes — he just went too far." The joke, added the barrister, was enjoyed by some, but went down badly among others. "The CBA is a very sensitive organisation and we are a broad church, so people will be offended by such remarks."

Yesterday a spokesman for the Lord Chancellor's Depart-

ment said: "Obviously the Lord Chancellor will want to find out the facts of the situation before he does anything else." Judge Boal, 55, was sitting at the Old Bailey and was not making any comment.

He was a leading criminal silk who took all the top cases at the Old Bailey before he was made a circuit judge in 1996. He was vice-chairman of the Criminal Bar Association in 1991-93.

He was counsel for the Director of Public Prosecutions in 1991 when the DPP announced that the Crown would not longer seek to uphold the convictions of the Birmingham Six. In March



Judge Boal: accused of damaging profession

last year, when jailing six teenagers who killed a youth after tracking him down and setting upon him like wild animals, he said: "This was lynch law of a kind that will not be tolerated on the streets of our

cities." He lists his interests as theatre, golf and cricket.

Lincoln Crawford, who chairs the Bar's race relations committee, said that the matter would be raised at the committee's next meeting and, he hoped, taken up with the Lord Chancellor.

"It is absolutely dreadful. If this report is correct, it causes me deep concern. The Lord Chancellor has invested a huge amount of money in racial awareness and gender training for all judges — so for someone so senior to make these comments is very damaging."

Laura Cox, QC, who chairs the Bar's sex discrimination committee, said: "If this is true then it is very, very regrettable. If a judge makes that kind of joke on this sort of occasion before a mixed-gender, mixed-race audience with lots of

young practitioners, then recent appointees to the judiciary and to silk who are from the ethnic minorities, or are women or gays, are going to feel very undermined."

Stephen Solley, QC, who chairs the Bar's human rights committee, said that such comments deterred many young ethnic-minority barristers from attending establishment gatherings of the profession, and damaged the image of the judiciary. "It is hugely disappointing that, in this day and age, there are senior judges who still think along these lines. I would have thought they had been put out to grass decades ago."

He added that there were many liberal judges who did not think that way, but such remarks were damaging to the group as a whole.

Value of caring brought home by globetrotter

By ALEXANDRA FREAN, SOCIAL AFFAIRS CORRESPONDENT

A FORMER Harlem Globetrotters player, who bought the basketball team after leaving his training boots, joined the Prince of Wales yesterday to encourage businesses to do more to help deprived communities.

Mannie Jackson said that nurturing and supporting community organisations was an effective way to create markets for goods and services and to improve a company's public image.

At the 12th annual Community Enterprise Award, run by the Prince's charity Business in the Community, Mr Jackson presented him with Globetrotters vests for Prince William and Harry. Prince Charles said his sons would have to be "genetically modified" to make them tall enough to fit the vests.

Mr Jackson, 59, who was born into poverty in a railway boxcar in Missouri, rose to become director of four companies and was the first black American to own a major international sports and entertainment organisation. He said that the idea of running a business without strong

community involvement was "unthinkable".

"My experience as someone who was born in a boxcar was that if I had not seen another way of life and if someone had not taken the time to help me out, I would still be rattling around in the boxcar," he said.

The awards, sponsored by The Times and NatWest, honour community entrepreneurs who have created organisations to improve the social and economic circumstances of local people.

The Charles Douglas Home Award for a large project was won by Antur Wauwafaw, a charity in Byn Pystyll, Gwynedd, which helps people with learning disabilities to find jobs.

The award for a small scheme went to Recycling in Ottery, in Ottery St Mary, Devon. The re-use and recycling centre is financed mainly through sales of aluminium and steel cans, paper, textiles, glass, furniture and tools.

The winners received £1,000 and will travel to the United States to learn about the community enterprise movement there.



The Prince said his sons would have to be genetically modified to fit the vests given by Mannie Jackson, left

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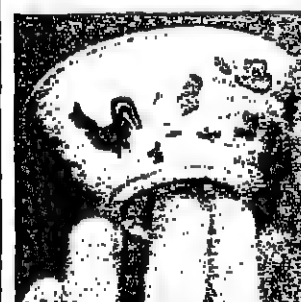


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Three-inch Ming cup fetches £2.3m

A CHINESE porcelain chicken cup, a rare example of imperial porcelain only 8.2cms (3.2in) high, sold for £2,329,460 at Sotheby's in



The 15th century cup

Hong Kong yesterday, setting a new world record for Chinese porcelain (John Shaw writes). The cup, from the Chenghua period of the Ming Dynasty (1464-1478), was bought by a London dealer.

The Chenghua period lasted just over ten years and marked pieces are rare. They are known as chicken cups because they are decorated with cockerels, hens and chickens.

Yesterday's price topped a record set on Monday at a Christie's auction in Hong Kong when a buyer paid £1.4 million for a Qing Dynasty porcelain cup from the Yongzheng period (1723-1735).

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Clinton calls for gun controls

President wants parents brought to book for their children's crimes, reports Ian Brodie in Washington

PRESIDENT Clinton yesterday proposed bringing criminal charges against the parents of children who commit gun crimes. The idea was among several gun control measures that he sent to Congress, where his chances of becoming law appeared bleak.

Both Democratic and Republican leaders questioned the need for more anti-gun legislation, despite growing sentiment for reforms across America after last week's school massacre in Denver.

Mr Clinton's proposal would make it a felony for parents to "knowingly or recklessly allow a child unlawful access to a gun that is later used to cause death or injury".

After the Denver shootings, Sheriff John Stone said that a sawn-off shotgun barrel and equipment for bomb-making were found in plain sight in the bedroom of Eric Harris, 18, who went on the rampage at Columbine High School with Dylan Klebold, 17. The pair killed 13 people before shooting themselves.

"Parents should be held accountable for their kids' actions," Mr Stone said. His view is widely held, but authorities concede that there is no evidence that the parents were in any way involved in the crime. Lawyers said that Mr Clinton's proposal could set a legal standard of parental liability that would be difficult to prove in court.

Mr Clinton also wants to re-

quire background checks on all buyers of explosives, including dynamite, blasting caps and the black powder used in pipe bombs such as those made by Harris and Klebold. Inexplicably, present laws prohibit the sale of explosive ingredients to felons, fugitives and stalkers, but do not require any checks that would show whether a buyer was disqualified on such grounds.

Another loophole that Mr Clinton seeks to close is the burgeoning sale of guns by unlicensed dealers at gun shows where no background checks are required. Police in Colorado suspect that at least one of the weapons used last week was sold at a gun show to an 18-year-old girl who turned it over to the gunman.

A government study of more than 300 gun shows found that nearly half the transactions involved criminals and a third of weapons sold were later used in serious crimes.

Among Mr Clinton's other proposals are:

- Mandatory child-safe locks on all guns sold;
- A lifetime ban on all gun ownership for people who commit violent crimes as juveniles;
- A ban on importing ammunition clips holding more than ten rounds.

The President's list seems eminently sensible, if tepid by British standards, but he has learnt to be cautious about gun control. After he forced a ban on assault weapons



How KAL, the Baltimore Sun's cartoonist, views the prevailing attitude to tighter gun control in America

through Congress in 1994, his fellow Democrats promptly lost control of the House. The National Rifle Association had responded to those who voted for the ban with a barrage of negative advertising in their constituencies. In Mr Clinton's view, the campaign cost 23 Democrats their seats. Although stemming the

availability of guns would seem an obvious place to start. Tom Daschle, the leader of the Senate Democrats, yesterday cited the Internet, the media and lack of attention being paid to students as other issues that should be studied to solve "an increasingly serious societal problem". He added: "I'm not sure gun legislation is

what we need." Similarly, Trent Lott, leader of the Senate's Republican majority, and Dennis Hastert, Republican Speaker of the House, called for a "national conversation" on youth and culture to focus on responses other than gun control.

Not everyone agreed. Ardent reformers on Capitol Hill argued that a growing number of voters want Washington to follow the lead of those cities and states where curbs on guns, and lawsuits holding gun manufacturers responsible for mayhem on the streets, are slowly but steadily gaining ground.

Letters, page 21

WORLD IN BRIEF

Britain will police East Timor poll

British police are to help to maintain order when East Timor votes on its future in a UN-managed ballot this summer (David Watts writes). The first groups of police are expected in the territory next month. Derek Fatchett, the Foreign Office Minister, said: "We have to do all we can to see that there's a free and open consultation of the people." President Habibie of Indonesia announced yesterday that he accepted the UN plan for a vote on August 8 by 800,000 East Timorese on whether to accept an Indonesian autonomy package. If they were to reject it, he said, East Timor would become independent.

Mandela in stampede

Johannesburg: President Mandela watched in alarm as thousands of people stampeded towards him, flattening a 12ft-high barbed wire barricade, at a rally to celebrate Freedom Day, a public holiday marking South Africa's first all-race election five years ago (Ray Kennedy writes). More than 20 people were injured, several of them seriously, in the crush at a football stadium at Umtata in Eastern Cape province.

Japan angers China

Tokyo: Japan edged towards expanding its military role in East Asia with the passage of controversial Bills that strengthen its security alliance with the United States (Robert Whyman writes). The legislation, allowing Japanese military forces to provide support to US forces in case of "emergency situations in areas surrounding Japan" — the "areas" left vague deliberately — was denounced by China, which fears an attempt to isolate and contain it.

Sumo wrestles with fat

Tokyo: Sumo wrestlers will be required to take a test measuring their body fat and told to diet if they are overweight. Ayako Suzuki, of the Japan Sumo Association, said the first test would be administered to wrestlers at the end of the summer tournament next month. The announcement comes amid a rash of weight-related injuries and complaints from fans that the sport has become more about fat and less about fight. (AP)

Basinger drawn into animal row

New York: Kim Basinger's outspoken support for animal welfare is being called into question by the use of circus elephants and a drugged dog in her latest film (James Bone writes).

The actress, Hollywood's leading animal rights campaigner, has just finished shooting *I Dreamed of Africa* in which she plays the Italian conservationist Kuki Gallman. Producers say the film is a tribute to a woman who has devoted her life to protecting Africa's wildlife. But during the shoot in South Africa, Basinger, who has fought to ban elephants from circuses in America, was said to be surrounded by trained elephants and lions from the local Brian's Circus.

"I did think it was strange that an animal rights activist, who feels so strongly about the use of trained animals, would agree to do this movie in the first place," Jim Stock-



Basinger: animal welfare campaigner

ley, the circus's animal trainer, told *New York* magazine. "I also thought it strange that she never even approached me to inquire about the treatment of our animals."

In one scene, Basinger appears with a dead dog. Apparently the dog had been anaesthetised by a veterinary surgeon, which would be a breach of guidelines drafted by the American Humane Association for the Screen Actors Guild.

Basinger's spokeswoman rejects allegations that any animals were mistreated on the set as "sour grapes".

Disney in claims of bonus plot

Los Angeles: One of Hollywood's most feared negotiators has launched a personal attack on the head of the Walt Disney Company, accusing him of underhand plotting to avoid paying a huge bonus (Giles Whittell writes).

The men agreed to have a retired judge arbitrate their dispute in a law firm's conference room. Jeffrey Katzenberg, now a mogul in his own right at the Dreamworks studio, claims that his unpaid bonus from ten years as head of production at the studio is \$250 million (£153 million).

Mr Katzenberg's lawyer accused the Disney chairman, Michael Eisner, of authorising a secret "Project Snowball" to deny him his due. Mr Katzenberg's contract promised him 2 per cent of revenues from 700 films made during his tenure, including the \$800 million hit, *The Lion King*.

Business report, page 26

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BALKANS WAR: ON THE FRONT LINE

Serb military hit by fuel rationing

ALL Yugoslav units in Kosovo have introduced emergency measures to preserve their remaining fuel stocks, after the Nato decision to enforce an oil embargo and to stop supplies reaching the Montenegrin port of Bar.

With an agreed European Union oil embargo also affecting Hungary, Romania and Bulgaria — thus cutting off all legal supplies by land — the Yugoslav military has had to take immediate steps to cut back on the use of fuel throughout Kosovo, undermining the importance Bar was playing in Belgrade's calculations. Ten tankers a day have been unloading oil there.

According to Nato intelligence, combined civilian and military oil consumption in the whole of Yugoslavia is now restricted to 32,000 barrels per day. The normal requirement is estimated at 60,000 barrels per day.

Although the Yugoslav Army is not engaged in operations in Kosovo that require much use of fuel — most of its tanks are being used as static artillery — the imminent clampdown on fuel shipments to Bar is expected to impose serious problems for Belgrade's tactics in Kosovo.

Western monitoring of the oil export market has not produced any evidence of frantic orders from Belgrade for re-

Belgrade is cutting consumption in readiness for a blockade, writes Michael Evans, Defence Editor



finer oil and petrol. But a close watch is being kept so that the Nato warships in the Adriatic taking part in the oil embargo can be tipped off about tankers heading to Bar.

Counter-measures by the Serbs are limited. Although there are other ports in Montenegro, Bar is the only one with the capacity to deal with large oil shipments.

Belgrade has not yet ordered its forces to seize control of the Bar port facilities, although Nato recognises that

this is a possibility, which could lead to new tensions between Serbia and Montenegro. The other potential for civil war would be if Serb forces tried to seize Montenegro's oil stocks.

The problem for Belgrade is that even if oil supplies get through Nato's proposed "visit and search" monitoring, fuel tankers driving along the road from Bar to Serbia will provide easy pickings for Nato bombers. The route has 37 tunnels and numerous hairpin

bends, forcing heavy lorries to travel at about 20mph. As yet, there is no sign of surface-to-air missile batteries being moved in to defend the road.

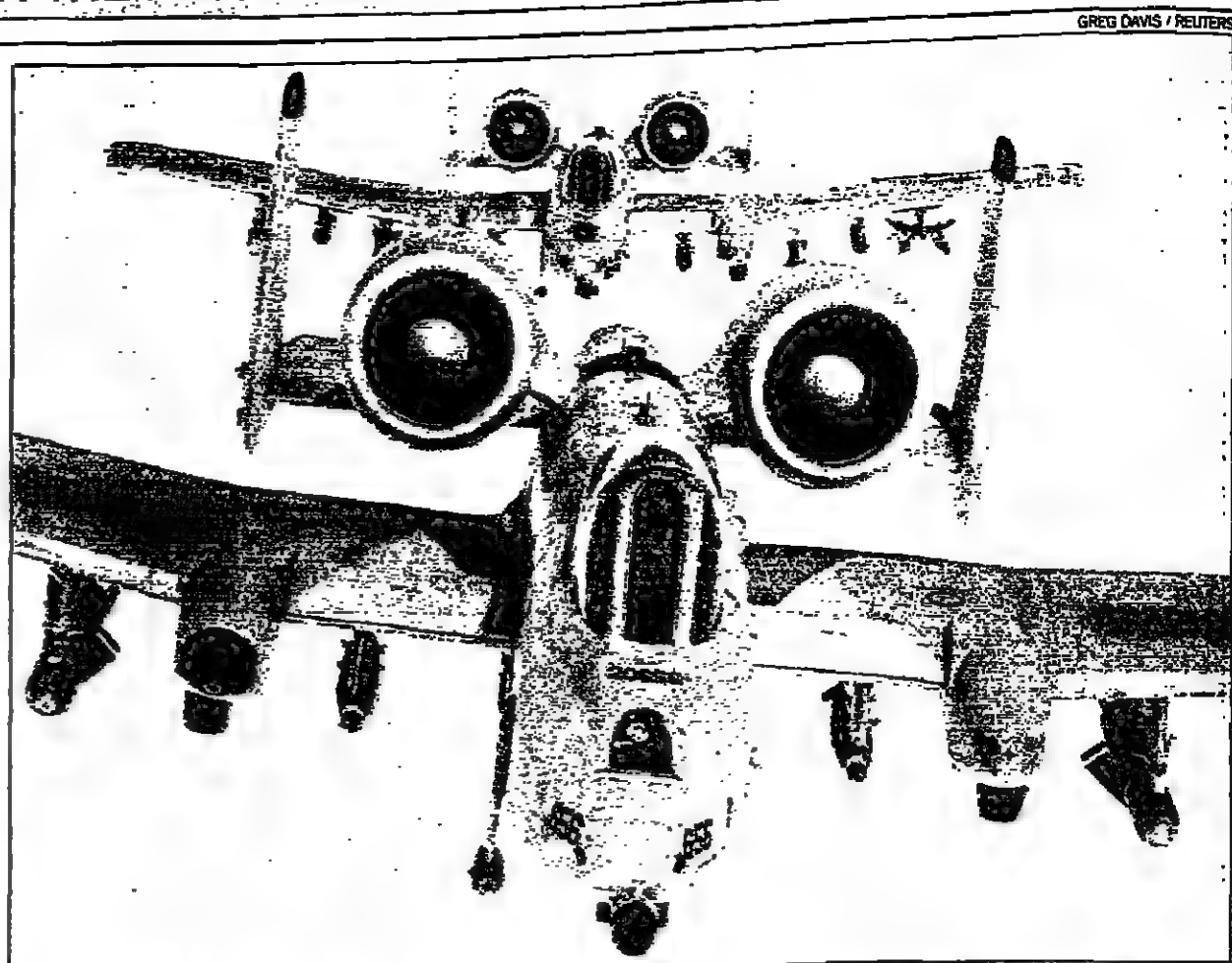
The Serbs have shore-based Russian Styx missiles along the Montenegrin coast, but they will not be in a position to threaten Nato warships. The blockade will be enforced well out to sea and not around the port of Bar. The Yugoslav Navy also has four submarines, but only one could be described as operational.

Nato is aware that the eastern route of the Danube could still be used for barges taking smuggled oil supplies to Serbia, but shipments by this method would never make up for the loss of Bar as an entry point for fuel.

The pipeline running from Croatia through Hungary to the two Yugoslav oil refineries at Pancevo and Novi Sad has also been shut off. As the refineries have been destroyed by airstrikes, Belgrade's requirement now is for refined oil and petrol products.

Although it is unlikely that the US Congress will be asked to pass legislation banning oil exports to Yugoslavia, American petrochemical companies are unlikely to sell oil once the military action begins.

Simon Jenkins, page 20
Leading article, page 21



Fearsome US Warthogs fly a combat mission. Warthogs were seen in action from the Albanian border yesterday

Harriers dodge heavy-calibre flak on raid

By JOHN PHILLIPS IN GIOIA DEL COLLE AND OUR FOREIGN STAFF

RAF Harrier jump jets came under heavy-calibre anti-aircraft fire for the first time yesterday, but carried out a cluster bomb attack on a military storage area in Kosovo, the RAF said.

The pilots from No 1 Fighter Squadron based in southern Italy dodged through the flak bursting as close as

200 yards away during the raid near Pristina on a virtually cloudless day, an RAF spokesman, Group Captain Glenn Edge, said. He estimated that the shells fired at the Harriers were of 20mm to 40mm calibre. "It was the kisser gear. It wasn't one man lying on his back firing his Kalashnikov."

At least two US A10 "Warthog" tank-killer jets carried the skies over Kosovo yesterday in action against Serb forces,

in sight of the Albanian border, and several explosions were heard from the Morini border post, 12 miles northeast of the northern Albanian town of Kukës.

Yesterday the wanted fleet of 24 Apache attack helicopters was reduced without Serb forces firing a shot when one crashed in a mountain area north-east of Tirana airport. The two pilots were said to be "in good condition".

Kosovo boy took British doctors to mass grave

FROM STEPHEN FARRELL IN STENKOVEC

A BRITISH doctor was shown a mass grave in Kosovo by a child who lost all 22 members of his family in a massacre by Serbs last year. Dr Mark Twite, 30, who is working at a refugee camp in the Former Yugoslav Republic of Macedonia, said yesterday that he and Dr Ann Jones, now working in Albania, had been shown the burial site last September.

The account will ultimately be passed to war crimes investigators, but the doctors have so far refused to identify the town or the five-year-old because he is believed to be still in Kosovo and therefore at risk.

Dr Twite, a paediatric registrar from the Royal Hospital for Sick Children, Edinburgh, is experienced in working with street children abroad. Last year he helped to run two mobile clinics in Kosovo treating children for shrapnel, bullet and mine injuries and general childhood infections; he was evacuated back to Britain

when Nato airstrikes began. Unable just to watch the refugee tragedy unfold on television, he volunteered to work in the camps and is now programme manager with the International Medical Corps, in charge of primary health care for 17,000 Kosovans at the camp at Stenkovec.

He had first learnt of the massacre through Dr Jones's work as a child psychiatrist for Child Advocacy International. When the boy was asked where his family were killed, he led them to the graves, which had been dug by friends. Dr Twite said: "His entire family was massacred — shot. He is the sole survivor; he ran away. We think he is still in Kosovo."

"A lot of war crimes have been documented. I can tell you about endless children who have lost family members and children who have witnessed massacres and horrible things happening. I have

no reason to doubt them, not when they can take you to see the graves of their family."

Now safely out of Kosovo where, he says, a common Serb tactic was to poison wells by throwing dead animals into them, Dr Twite faces medical challenges with the threat of cholera and disease in the overcrowded Macedonian camps. Unicef has begun a programme to vaccinate 8,900 children under the age of five in the camps against infectious diseases such as polio and measles.

Lack of space to expand the refugee camps means sanitation could become a serious problem. "Cholera is not so far away and it would decimate the camps, especially with summer coming."

The United Nations refugee agency was trying last night to find room for 3,500 Kosovans who arrived at the border when there is little space in the transit camps.

Temper flare in teeming camps

FROM RICHARD OWEN IN TIRANA

AS MORE of the 350,000 Kosovans in Albania are moved away from the border for fear of Serb shelling, discipline is beginning to break down in some of the overcrowded inland refugee camps, with reports of fights between desperate refugees and local Albanians accused of stealing aid supplies.

The Albanian Government said the aid agencies, especially the United Nations High Commissioner for Refugees, were "mismanaging" the crisis. "If we had relied on UNHCR alone, there would have been famine and chaos in Albania by now," Pandeli Majko, the Prime Minister, said. He said "disaster" had been averted only because Western governments had sent troops to help in protecting relief supplies.

But Ariane Quentier, of UNHCR here, said that it could "not work miracles... We are working with the Albanian authorities as best we can. But we only provide tents, food and medicines. We cannot act as a police force."

Refugees in Tirana said that there was "never much love lost" between Kosovans and the people of Albania proper. "Kosovo Albanians are better educated," one said. "The Albanians have given us refuge, but many resent our presence."

But others blamed the "boredom factor". Tahir Povataj, 60, said: "We have football matches, but it's not enough to absorb the energies of cooped-up young men."

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BALKANS SUMMARY



Milosevic comes out of hiding in Belgrade to lay a wreath to fallen soldiers yesterday

Media tower hit again

Nato bombers yesterday attacked television transmitters in Belgrade for the second time (Michael Evans, Defence Editor, writes). Witnesses in Belgrade said that, after a Nato bomber flew over the city, an explosion destroyed the television and radio antennae on top of the 23-storey building. Nato said its intelligence revealed that the station was doubling as a message system for Serb forces in Kosovo after the damage to Belgrade's military command-and-control network following weeks of Nato bombing.

US sends in 'citizens'

Washington: America ordered its "citizen soldiers" into the Kosovo conflict for the first time, with the mobilisation of up to 33,000 military reservists (Ben Macintyre writes). The initial call-up will summon at least 2,000 reserve Air Force personnel to fly and maintain 30 extra refuelling aircraft deployed this week. They are expected to leave for Europe next week.

British land in Greece

Salonika: British forces unloaded military vehicles — and hundreds of British troops arrived by air — in this port city in northern Greece to reinforce Nato troops stationed in Macedonia. The military vehicles, including reconnaissance vehicles, arrived on board the *Sea Centurion*, which was also carrying 30 containers of military equipment. (AP)

Hungary to take tankers

Budapest: Janos Szabo, the Hungarian Defence Minister, said that Nato would base 20 airborne tankers in his country to refuel warplanes in the air. "Now Yugoslavia is surrounded 360 degrees and cannot know from what direction an attack will come," he told a news conference. He said there had been no official request for warplanes to be stationed. (Reuters)

Russia wooed with role for international force

By MICHAEL EVANS, DEFENCE EDITOR, AND TOM WALKER

BRITAIN has signalled that it will approve a United Nations Security Council resolution for an international force for Kosovo which makes no reference to Nato. The concession, which is likely to be supported by other alliance governments, is part of a new drive to find a form of words that will be acceptable to Russia.

Moscow is being relied upon to put pressure on Belgrade to back down and meet Nato's five demands, which include the presence of a military force to oversee the return home of Albanian refugees.

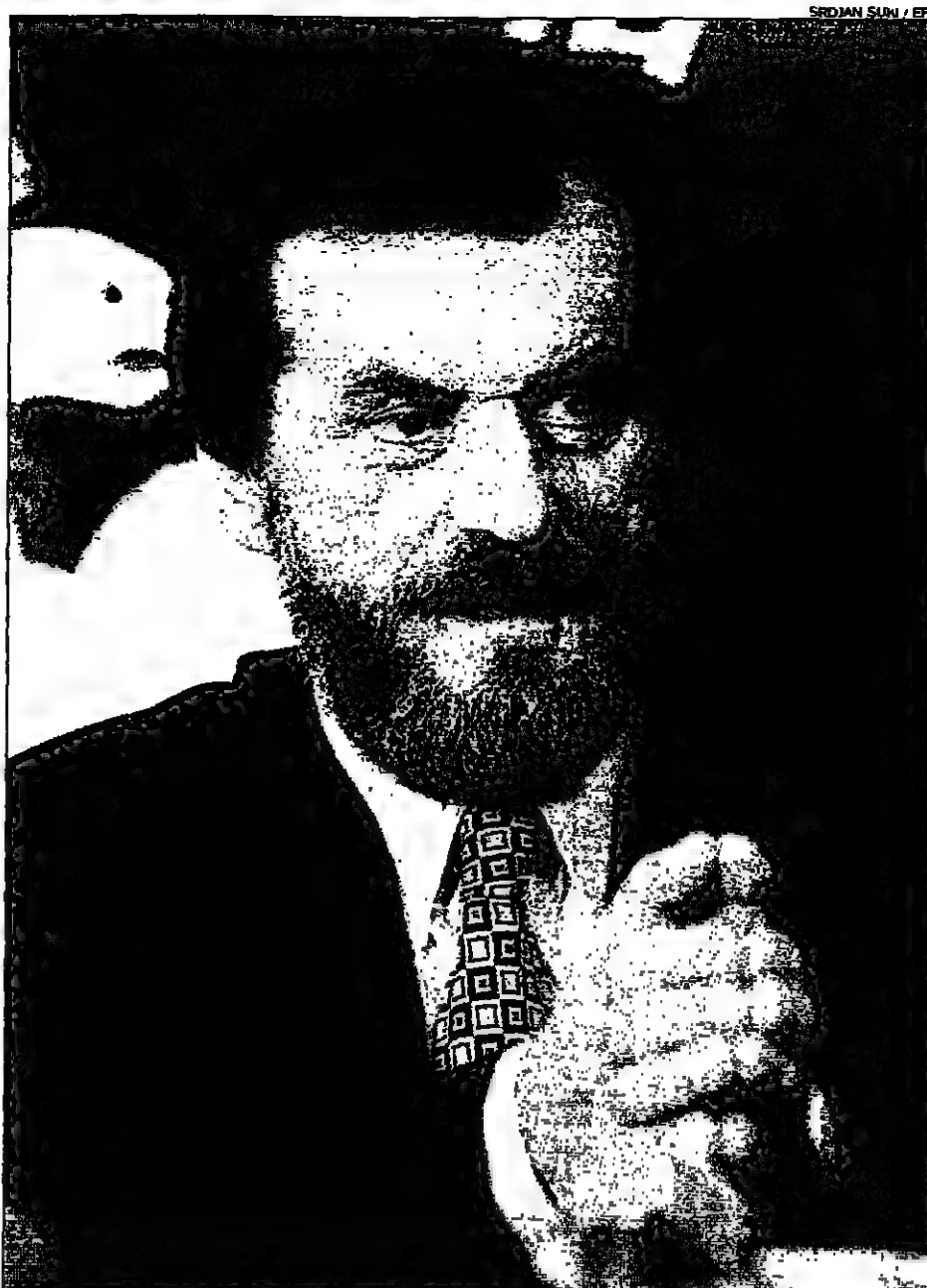
Foreign Office sources said yesterday that Britain now accepted that any future Security Council resolution covering a peace force for Kosovo could not emphasise the role to be played by Nato if Russia was to give its official backing.

That concession, however, did not change the view, approved by all alliance governments, that the force for Kosovo should still be led by Nato and that Nato troops should form its core.

The British move has underlined the diplomatic efforts now under way to bring the Russians into the forefront. Although the airstrikes will continue, Moscow will be encouraged to play a bigger role in dealing with Belgrade on the diplomatic side.

After the Dayton Peace Accords were signed in December 1995, bringing the Bosnian war to an end, the Security Council approved a resolution which also made no direct reference to Nato, and Russia agreed to contribute troops to the peace implementation force (Ifor). Russian soldiers were deployed to the north of Bosnia in the American-commanded section, and it was agreed that they would come under American, rather than Nato, control.

However, the Dayton Accords had a military annex which specifically named Nato, although the Security Council resolution 1031 referred to "the organisation" in



Vuk Draskovic, Belgrade's Deputy Prime Minister, addresses the press yesterday

the annex without naming it. Whether such word games will meet the approval of the Russians this time is unclear. Moscow will be in no doubt that Nato is determined to lead the force into Kosovo. So, too, will President Milosevic.

William Cohen, the US Defence Secretary, said that out

yesterday when he said: "It must be an armed, international peacekeeping force, and we believe it must be led by Nato."

Yesterday Strobe Talbott, the US Deputy Secretary of State, who was in Moscow to discuss the issue of a multinational force for Kosovo with

senior Russian officials, held intensive talks without any apparent breakthrough.

Viktor Chernomyrdin, the former Russian Prime Minister who is heading Russia's peace efforts, repeated Moscow's position that the airstrikes had to stop to clear the way for talks with Belgrade.

As a reminder that Nato has no intention of stopping the bombing, General Wesley Clark, the Supreme Allied Commander, gave a warning yesterday that the air raids carried out so far, since March 24, were "only a fraction" of what was to come over the next few weeks.

Mr Talbott said that the talks in Moscow went well, but gave no details. Apart from Mr Chernomyrdin, he also met Igor Ivanov, the Foreign Minister, and spoke on the telephone to Yevgeni Primakov, the Prime Minister.

Although the main focus is now on the Russians to bring pressure to bear on Belgrade, the Foreign Office sources said that if Kofi Annan, the UN Secretary-General, decided to become more involved personally, the Government would not stand in his way. "We feel this is a judgment that Mr Annan has to make, but we would certainly not object if he decided to go to Belgrade," one source said.

Mr Annan is due to visit Russia on Thursday and will meet Mr Chernomyrdin and other Russian officials.

Vuk Draskovic, Yugoslavia's Deputy Prime Minister, repeated yesterday his belief that a UN peace force was the way ahead for Kosovo.

His pro-Western leanings were met with a tirade of abuse from the Serbian Radical Party, which dubbed the former dissident novelist a traitor.

Mr Draskovic admitted that he had not talked to Mr Milosevic about the UN force, but he claimed that the Yugoslav leader had discussed the idea with Mr Chernomyrdin last week, although the state media had not carried the news.

Mr Draskovic repeated that he personally did not wish to see Nato troops in a UN force for Kosovo, but he said that Yugoslavia should abide by the decisions of the UN Security Council.

He said: "I think President Milosevic is ready, and must be ready, to accept a Security Council resolution. They will decide the composition of the force."

'Danger man' declares war on Schröder

Lafontaine is exploiting anger over Nato, writes Roger Boyes

Once dubbed the most dangerous man in Europe, Oskar Lafontaine is staging a comeback and is about to challenge the German Chancellor, Gerhard Schröder, over his support for Nato airstrikes in Kosovo. Herr Lafontaine, who suddenly and mysteriously resigned from his posts as Finance Minister and Social Democratic Party chairman six weeks ago, has promised to address the Kosovo issue in a May Day speech to trade unionists.

This week he made plain that his sympathies were with those Social Democrats who are unhappy about the Nato campaign. "I blame myself for not raising earlier the whole topic of alternatives to the war in Kosovo. That was a mistake. I was behaving out of a false sense of loyalty."

German concern at the Nato bombing is growing by the week but has yet to find a political voice. Herr Lafontaine, regarded as a loose cannon by the Schröder team, could ride back to political prominence on the back of popular discontent about the war. An opinion poll by the Emnid Institute yesterday showed that only 41 per cent of Germans favoured continuing airstrikes, with 34 per cent against. At the beginning of the war, public support was well over 50 per cent. Only 17 per cent of Germans are now in favour of sending ground troops to Kosovo.

There is even unease about mounting a sea blockade since this is regarded as risking a direct confrontation with Russia. Joschka Fischer, the Foreign Minister, says that a sea blockade would require parliamentary approval in Germany.

The brittle state of public opinion is reflected in the two ruling parties, the Social Democrats and the Greens. Some political analysts see May 13 — the day when the Greeks hold a party conference on the war — as the

probable breaking point for the Government. Members of the Green Party are furious with the role of Herr Fischer — their de facto leader — in backing a war against President Milosevic. Diplomats expect a Serbian peace initiative just before the congress as a tactical ploy to bring down the German Government. But the protesters have seen their influence dwindle in the Green Party and the most likely outcome of the May 13 congress is that Herr Fischer will be mandated to try harder to find a diplomatic solution in the Balkans.

Opponents of the war may find a champion in Herr Lafontaine. He is using his native Saarland as a political base. At the weekend he appeared on the podium of the Saarland Social Democrat Party and was given thunderous applause.

The May Day speech is only the first part of the planned comeback. Herr Lafontaine has accepted invitations to make other speeches, including at a Franco-German meeting on May 14, the day after the Green congress.

Herr Schröder's dream of an Oskar-free republic is crumbling quickly. No matter that the most dangerous man in Europe now lives in Belgrade rather than Saarbrücken the Chancellor's advisers are trying to unearth an official post to neutralise the restless politician. The only suitable position would be as Ambassador to Israel, but friends say Herr Lafontaine will not be lured into exile abroad.

Serbs use toxic gas, say mercenaries

MERCENARIES recruited in Britain to train the Kosovo Liberation Army say that the Serbs are using chemical weapons in Kosovo.

Two British recruits, filmed in Albania after weeks spent instructing Albanian volunteers arriving to fight in Kosovo, said they saw Serb shells landing about 150 yards away and KLA fighters immediately falling to the ground. They told the BBC *Newsnight* programme that they were convinced that the six men had been overcome by poison gas. The Serbs had apparently resorted to chemical weapons after heavy losses, estimated at more than 200 soldiers in the past two weeks of fighting.

Britain said yesterday that it had long been aware that Serb forces were using riot control agents — probably CS gas. It was also known that the former Yugoslavia had been engaged in chemical weapons research, and that Serbia had inherited small stocks of such substances. These could include mustard gas or nerve agents. The status of these weapons today was unknown, but the Ministry of Defence

Volunteers for Kosovo face a grim death, writes Michael Binyon

said its assessment of the danger was low.

But a spokesman said it had received reports that the Serbs might be using blistering agents. A refugee in Albania was being treated for blisters on the hands and feet. "We are taking this very seriously and working hard to establish the facts," the spokesman said.

General Sir Charles Guthrie, Chief of the Defence staff, said yesterday that it was too soon to say whether there was evidence suggesting that the Serbs were using chemical weapons. Their use is outlawed under the Geneva Convention and the recently signed international treaties banning the use of chemical and biological weapons.

The two British recruits, a

Londoner and a Scot who refused to give their names or be filmed in full light, also revealed that foreign volunteers and mercenaries were arriving from Europe and America at the rate of 200 a day to fight for the KLA. But they gave a warning that those recruited in Britain, as they were, could fall foul of a feud between two factions of the KLA battling each other for control of the guerrilla army.

The Kosovo Information Centre, which was named by *Newsnight* as the recruitment centre in London for mercenaries, denied yesterday that it had sent anyone to fight in Kosovo. Isa Zymeri, its director for the past nine years, said that he referred all those offering to fight to the KLA's representative in Britain. "We have had a lot of mercenary offers," he said. "But in principle we never wanted them."

The two British mercenaries told *Newsnight* that they had been unable to do their job properly as volunteers were being sent to fight the Serbs after only three days training, with rusty weapons and almost no military experience.

Britons boost Nato press operation

By ROLAND WATSON, POLITICAL CORRESPONDENT

BRITISH government influence over Nato's communication strategy strengthened yesterday with the secondment of more civil servants to the alliance's Brussels headquarters.

Alastair Campbell, the Prime Minister's official spokesman, is spending the best part of the week there, with Hilary Coffman, a Downing Street press officer.

Two Scottish Office officials have also been moved to Brussels indefinitely. They join Julian Braithwaite, Downing Street's foreign affairs press officer, who is now based full-time at Nato.

This week Mr Campbell will spend his longest stint yet at Nato. Normally he is wedded to Mr Blair's side, so the decision is a measure of the

concern at Nato's failure to get its message across effectively and at its comparatively poorly staffed press operation, headed by Jamie Shea. Mr Campbell was called in earlier this month by Javier Solana, the Nato Secretary-General, to help to co-ordinate that operation. His arrival coincided with Nato's decision to explain fully the bombing of a civilian convoy.

Yesterday Downing Street played down any suggestion of a British Government takeover. "Jamie Shea is still in charge," a spokesman said. "Alastair is the Prime Minister's chief press spokesman and, as you would expect in a conflict of this sort, he is getting involved in the co-ordination of communications."

Last night, the Open University beat Oriel College Oxford in the final of 'University Challenge'.

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Flex your financial muscles



Personal Finance Editor Anne Ashworth on the best ways to improve your puny savings and feeble pension provision; why it pays to buy a used car; and which mutuals are ripe for carpetbagging

Fashion features announcing that we should all be wearing string bikinis this summer will be spurring thousands into diet and exercise programmes. This seasonal fear of exposing flab is not an exclusively female preoccupation. Even men who, for most of the year, believe that their intellect is their strongest suit will be investing in vicious promising buns of steel.

But some men and women are embarking on a different schedule. They are in training for the financial fitness test. This is the Easy Money get-fit programme, targeting four areas of your finances. All the moves are easier than pulling your belly button in to your spine, part of the Pilates exercise system. (I speak from personal experience.)

BANKS: Going into the red without permission, or exceeding your overdraft limit, is as unsexy as it is most expensive. You can expect to pay an interest rate of as much as 30 per cent, plus an extra monthly fee. There may be additional charges, such as £25 for each unpaid cheque.

If you need to borrow in the short term, consider swapping to a low-interest credit card. People's Bank has an introductory rate of 6.9 per cent. The rate at RBS Advanta cards is 5.9 per cent. For longer-term borrowing, a personal loan can be cheaper than an authorised overdraft, where rates of 19 per cent are common. Ask your bank and several of the new names in the sector, such as Prudential's Egg and Tesco, for quotes. You can borrow £5,000 over three years from Tesco's banking division at 11 per cent.

Another way to enrich your bank is to use its rivals' cash machines: some banks charge for this and a fee of £1.50 is typical. Ask your bank where you can withdraw your money for free and speed-walk to these machines. Barclays' customers, for example, can withdraw money without charge only at Bank of Scotland, Lloyds and Royal Bank of Scotland machines. Internet banking services, on offer now

at Citibank, Lloyds, The Royal Bank of Scotland and, within weeks, at Barclays, are not only for anoraks. You can check your balance, pay bills and change standing orders at almost any hour. There is no fee, apart from the cost of the telephone call to link to the service.

BILLS: A moderate amount of exertion should help you to shrink your electricity, gas, insurance and mortgage bills.

Little is straightforward in the newly deregulated energy market. But you can save either by paying your existing supplier by direct debit, or by changing supplier. For details of these new suppliers see the *Which?* factsheets on the website of Offer, the electricity regulator. According to *Which?*, a British Gas customer using the average amount of gas will pay £357 if he pays by cheque, £324 if he pays by quarterly direct debit and £312 if he pays by monthly direct debit. Switching to London Electricity, the bills would be £62, £38 and £30 lower respectively.

Most homebuyers arrange building and contents insurance when they take out a mortgage. This is the easiest option, but also often the most expensive as the insurer takes the opportunity to recover the fat commissions it pays to the bank or building society for your custom. Organising cover independently can slice 30 per cent off the premiums.

Instead of ringing round every insurer for a quote (a lengthy but not fat-burning process) you could get an insurance broker to take the strain. John Charcol, the mortgage and insurance broker, asked five insurers what they would quote for a 40-year-old living in Birmingham BS and needing £35,000-worth of contents cover. The premiums ranged from £296 at Commercial Union to £536 at Royal Sun Alliance.

Easy Money has already emphasised the budget-boosting potential of remortgaging, ie, transferring your loan to a lower-rate deal with your existing lender or a



In training for a fitness test: put in a bit of effort this summer to improve the shape of your finances

competitor. But here is one more striking example. A borrower with a £100,000 standard variable rate loan at 6.85 per cent will be paying £570.83 a month. Move to a new loan offer from the Stroud & Swindon Building Society, with a 2 per cent discount until 2001 and a 1 per cent discount until 2004, and your repayment drops to £404.16. There is an arrangement fee of £295.

PENSIONS: Age Concern has this week illustrated the inevitability of ageing and the need for pension-saving with computer-generated images of a senescent Chris Evans and Posh Spice. Worse than wrinkles, however, is the prospect of retirement with only the basic state pension of £347 a year.

If your firm offers a pension scheme, you should join to take advantage of such perks as a contribution to your fund from your employer. The self-employed and freelancers can take out personal pension plans today. Or they can wait until the launch of the stakeholder pension, which should be available within two years.

But the sooner you can start saving for retirement, the better. Turning their backs on their dishonourable past, insur-

ance companies are now offering better-value pensions, with lower administration charges. A few independent financial advisers, such as Charwell, based in Bath, will arrange a pension for a fee. Tax relief softens the blow of investing in a pension. If you contribute £100, the

Another option is a cash individual savings account (Isa), where your interest will be tax-free. Abbey National offers a rate of just 1.85 per cent on a balance of £250 in its Action Saver account. The same balance earns 6 per cent in the Abbey Isa. Other cash Isa best buys come from the Nationwide (6.50 per cent) and the Yorkshire (6.25 per cent). Keeping watch on your savings is seen in some circles as a diet aid. Checking on the constantly changing rates of interest will leave you little time to snack.

Contacts: Abbey National savings 0800 222237; John Charcol 0800 080800; Charwell 01225 321700; Citibank 0800 080800; Egg 0845 6000292; Lloyds 0800 080800; uk; Nationwide BS, 0500 302010; Offer: www.open.gov.uk/offer/offer.htm; People's Bank 0500 551055; Royal Bank of Scotland 0800 131121; RBS Advanta 0800 077770; Scottish Widows Bank 0845 640629; Stroud & Swindon 0800 371824; Tesco 0845 600000; Virgin Direct 0845 6101020; Yorkshire BS 01274 395 050.

Where to bag the profit

If the news of the good fortune of savers at the Bradford & Bingley Building Society, who voted for a four-figure windfall on Monday, made you green with envy, it is still possible to get in on the carpet-bagging act, but only just.

If you intend to open an account with a possible conversion target, do it quickly. The Bradford & Bingley vote will mean that mutuals will be on their guard, so you can expect more and more of them to impose restrictions on people seeking to open new accounts. Already opportunities for those investors seeking windfalls who have not yet opened carpetbagging accounts are few and far between. Of the remaining major building societies, Nationwide, Yorkshire, Britannia, Coventry, Leeds & Holbeck and Newcastle are accepting new members, but they must sign away windfall rights to a charitable foundation when they join. So, for example, anyone who has opened an account at Nationwide since November 3, 1997, would not be entitled to a windfall were the society to convert.

For the new carpetbagger the best bet is Portman Building Society: it has recently removed all restrictions on opening new accounts, while reiterating its "unserving commitment to mutuality". The only drawback for carpetbaggers is that the minimum balances vary according to how you open your account.

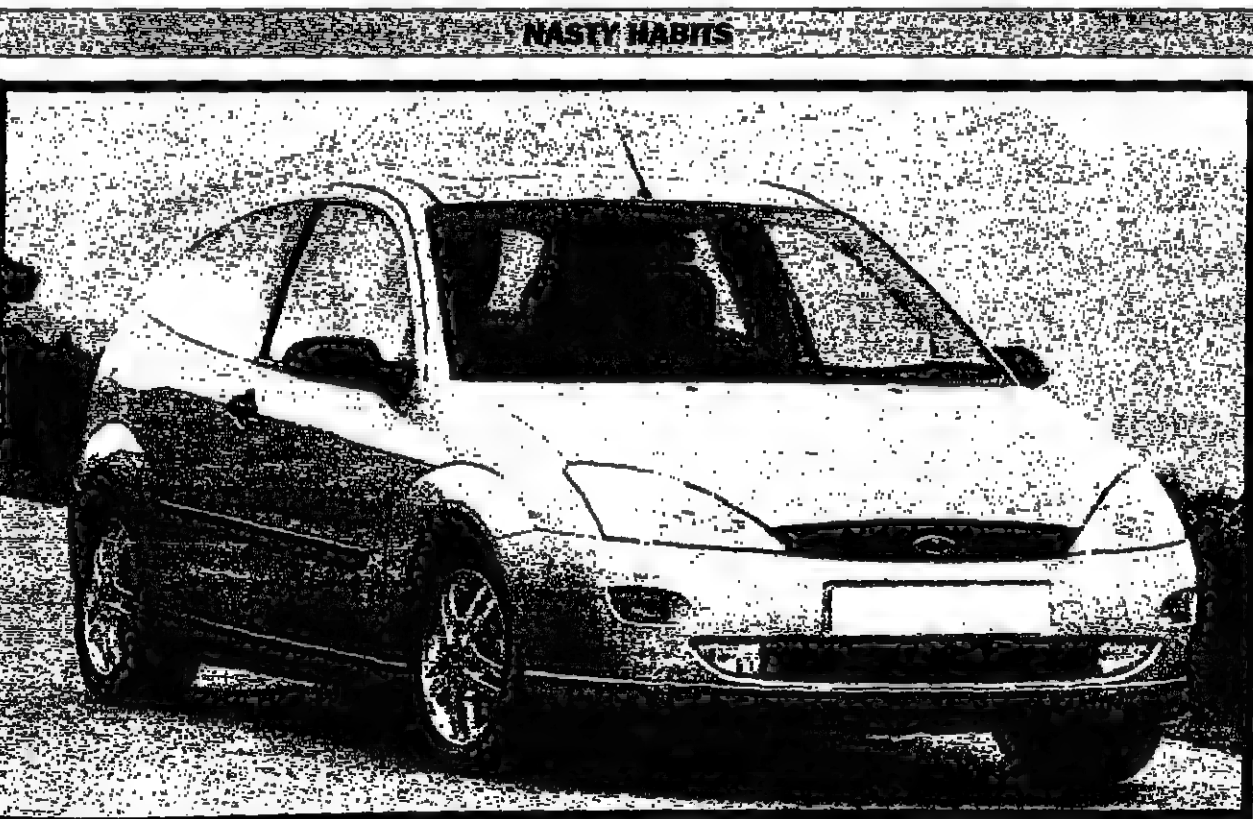
For example, Portman has introduced a mini cash individual savings account (Isa), which pays 6.55 per cent on £10 for those who open their accounts through a branch. However, the minimum deposit for people opening their accounts by post is £1,000. The instant access account pays 4.25 per cent on balances of £100 for locals, and on balances of £1,000 for customers opening accounts by post.

It has become more difficult, however, to force a conversion at Portman. On April 15 the society's existing savers, the members, voted to increase the majority needed for a conversion resolution to be passed to 75 per cent of savers and 50 per cent of borrowers.

The Skipton and the Chelsea are much less bagger-friendly. Skipton has a minimum balance on all accounts of £2,000, while Chelsea, one of the most vociferous supporters of the mutual movement, pays positively low rates of interest on some accounts. Its instant access account, for example, pays a paltry 0.5 per cent annually.

For those carpetbaggers who opened accounts before restrictions came in, the most competitive rates across the board are from Yorkshire Building Society. It pays 6.25 per cent on its mini cash Isa, 5.5 per cent on its instant access account and 5.8 per cent on its 30-day notice account. However, the chances of a conversion at Yorkshire, another bastion of the mutual movement, are extremely low.

PAULA HAWKINS



The Ford Focus has been lauded in the motoring press, but don't rush to buy. Prices should plummet in the near future

Reading motoring journalists' reviews of the Ford Focus, the long-awaited successor to the Escort, is enough to make one rush straight out and buy one. But don't rush out and buy a new one. The Focus, star of the "Expect more" ad campaign, may deliver more than your average family runaround, but you can also expect more depreciation. Because it was launched just over six months ago, it is still quite a "rare" car, so its price of between £12,000 and £14,000 for a 1.8 is high. Once the Escort goes off the market, thousands of Focuses will flood in and, experts say, their price will plunge.

And the Focus is not alone. "People rarely take it into account, but depreciation dwarfs all the other costs of running a car," says a spokesman for the Automobile Association. The AA estimates that, for a medium-sized car, annual insurance is about £150 and road tax £155. The cost of depreciation

is £2,270. Just driving your car out of the showroom wipes 12 per cent off its value. In two years it loses about 45 per cent of its value, and after seven years, 75 per cent.

The rate of depreciation depends on the make and model. If, for example, you are one of the poor saps seduced into buying a new Citroën Xsara by Citroën's Clodia Schiffer's striptease, you will be interested to know that not only did the car perform poorly in crash tests — the front airbag failed to open and the dummy's head (that's the crash-test dummy's head, not Clodia's) hit the dashboard — but also that Citroëns tend to be among the fastest-depreciating cars around, losing about 60 per cent of their value after three years.

The best way to beat depreciation blues is to let someone else have them. Buy a two to three-year-old car and you can save thousands of pounds. According to Fleet Management Services, a new Rover 211 on the road costs £10,250, but you can buy a three-year-old model for £3,485 and save £6,765. A three-year-old Citroën Xsara costs £7,685 less than a new model. A new Peugeot 1.6 estate is £12,295 but after three years will cost £5,041 — a saving of £7,254. Vauxhall Astras and VW Golfs are the best performers in the depreciation stakes. In fact, the Golf is one of the only cars in the small family range to retain more than 50 per cent of its price after three years.

A new Astra 1.6 costs £12,000, and one with about

36,000 miles on the clock is £5,160. A new Golf costs £13,975 new and £7,547 after three years, a saving of £6,428.

So if you buy a three-year-old Golf, you will have saved enough to insure the car for four years (fully comprehensive insurance for a 35-year-old Londoner from Direct Line costs about £250 a year) and still have enough left over to buy a three-year-old Toyota RAV4 for those weekend jaunts to the countryside.

Although buying a used car is still a gamble, there are reputable second-hand dealers such as Network Q, which sells used Vauxhalls, that will check the car thoroughly.

Make sure that you have the registration document, MOT certificates if the car is more than three years old, and full details of its service history. If you are suspicious about the mileage, contact the car's previous owners to verify details.

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NEXT WEEK: Calculating the cost of bringing up children

The birds that can count up to seven

Research proves that animals do have mathematical skills, says Sanjida O'Connell

Pythagoras thought that numbers symbolised the face of God. If that is the case, some animals could be closer to godliness than many of us suppose. Researchers are increasingly finding that many animals are as skilled at maths as young children.

Dr Miriam Rothschild, the distinguished zoologist, was the first to prove that birds can count when she made a study of cormorants that are trained by fishermen on the banks of the Li-jiang River, in China.

ing time), which is adapted from child psychology.

PLT was developed as a method of investigating the counting ability of infants by Professor Karen Wynn, a psychologist at the University of Arizona. In Tucson, Wynn showed children a doll, then put a screen in front of it; she then showed the babies another doll and put that behind the screen, too. Without the babies noticing, she removed one of the dolls and lifted the screen, revealing the remaining doll. Most babies stare for longer at this doll than they do at the two dolls, allowing Wynn to argue that infants must have some concept of numbers if they are surprised to see one toy when there should be two.

The big question now is: did words or numbers come first?

The fishermen tie string round the birds' throats so that they cannot swallow the fish they catch. The string is removed to allow the cormorants to eat every seventh fish.

Rothschild says: "Occasionally, the fishermen would lose count of the number of fish caught and say 'Go on' to a cormorant, but the bird would just sit there refusing to dive until the fishermen realised — 'Of course, it's the seventh fish' — and took the string off."

The cormorants were clever enough to understand that it was the seventh fish they were allowed to eat, not the fish they caught on the seventh dive.

More recently, Professor Marc Hauser, of Harvard University, used buckets, a few plums and some aubergines to demonstrate that monkeys can count. Hauser studies a group of wild monkeys on the island of Cayo Santiago off Puerto Rico, using a technique called PLT (preferential look-

doll, behind the screen, lifted the screen and revealed three dolls. The children stared for longer, as if appropriately surprised that one plus one equals three.

Hauser tried this same approach with monkeys but used aubergines. Like the babies, the monkeys stared for longer when they saw one aubergine when they had expected to see two. Again, like the children, the monkeys were also surprised to see two aubergines miraculously metamorphose into three.

In a second experiment, Hauser put different numbers



More than just a bird brain: research among a fishing community in China has shown that trained cormorants such as this can apparently count up to seven

of plums in two buckets. The monkeys consistently went to the bucket containing the most plums. He says: "We found that they are capable of discriminating between four and three, a capacity which one-year-old infants do not have."

Hauser points out that there could well be a survival value in being able to count. "Animals are constantly confronted with situations where they have to evaluate the number of animals, or the number of pieces of food," he says. "So it is a natural task for them to be confronted with solving a simple mathematical problem."

"The question which has remained open is whether or not they evaluate things in terms of 'more or less', or whether they are counting," Hauser was able to demon-

strate that monkeys were counting. He put one aubergine, followed by another, behind a screen and raised it to reveal one large aubergine that weighed as much as the previous two combined. The amount of aubergine was still the same, but the number was different, and yet the monkeys looked for longer when they saw the huge aubergine.

Monkeys may be smart, but they have their limits — they don't seem to be able to understand two plus two, nor can they distinguish between four and five plums. However, with human tuition, a small number of animals have achieved greater numerical feats.

Alex, a grey parrot raised by Professor Irene Pepperberg, from the University of Arizona, has been taught to speak and can count up to six. "Alex's achievement in counting is impressive," says Professor Euan Macphail, a psychologist from York University. "On the other hand, there are questions we might ask about exactly what is involved in the sort of counting that Alex is doing."

Macphail's criticism is that the creatures are not counting, they are substituting — this is the ability to look at a number of objects and to know how many there are without counting.

He explains: "If I flashed up a picture of four parrots, you would see instantly that there were four parrots — you

would not need to go through systematically counting two, three, four." Macphail adds that our skill at substituting allows us to name only up to eight objects; so one would expect animals, if they were substituting, to understand numbers up to or fewer than eight, too.

He adds: "If we want to see animals' counting abilities as a demonstration of a higher intellectual ability, we have to go beyond counting to something like arithmetic."

A number of chimpanzees in Japan and America have managed to both count up to nine, and do simple arithmetic. Professor Sarah Boysen, from Columbus State University, Ohio, has taught some of her animals to use a touch-screen computer. She shows them a number of objects, usu-

ally sweets, and they point to the correct number on the computer. Two of the chimps, Bobbie and Sheba, can also add up and subtract simple sums and work out fractions, such as half a banana or a quarter of a pear.

These animals' abilities may be impressive, but why are scientists asking whether animals can count? After all, a salmon can't understand pi, but it is still incredibly well equipped for its own lifestyle, and its feats of navigation outshine anything that we can do without the aid of technology.

Comparing animals to a human yardstick invariably means the animals will fail. Hauser believes that this work is vital because it allows us to determine whether language or maths evolved first.

What these animals are doing, essentially, is counting in "nameless numbers" — they have the concept behind counting, but without the words. Now he and other scientists want to know the extent to which animals make calculations — do they, for example, go through the same kind of thought processes as a human being?

"For instance," he says, "a human finds a piece of chocolate cake in the refrigerator; it's the only piece left, and his room-mate might enjoy a piece, too. He is confronted with two choices: does he tell his room-mate honestly, 'I'd like this piece of chocolate cake', or does he eat it and risk that if he is found with the cake, his room-mate will probably get a little annoyed?"

Watch this space for a timely shower ☐ Insects' repellent ☐ Canine care

Don't miss out on the meteors

LAST November astronomers anxious to see the best meteor shower for 33 years decamped to Asia, where fireworks were predicted. In reality, they would have done better to stay at home. Instead of amazing the people of East Asia, the 1998 Leonids shower produced its most dramatic fireballs over the Atlantic 16 hours earlier.

In a remarkable piece of scientific detection, this unexpected result has been traced back to events that took place more than 600 years ago in 1333.

The annual Leonids shower (so-called because the shooting stars appear to originate from the constellation of Leo) is caused by the Earth passing through the orbit of the comet Tempel-Tuttle. This happens every year, but especially brilliant displays occur every 33 years or so, when the comet has passed close to the Sun, releasing more dust particles for Earth to plunge through.

Predicting the timing of such an event is notoriously difficult, but missing the best part of the event by 16 hours was a big error. Now three astronomers — Dr David Asher and Professor Mark Bailey, of Armagh Observatory, and Professor Vachslav Emel'yanenko, of South Ural University in Chelyabinsk, in the Russian Federation — say that we must look back to 1333 for an explanation.

The display that many astronomers missed occurred as Earth passed through an extremely dense, narrow stream of large dust grains and particles, up to several centimetres in diameter. The timing suggested that these particles were in an orbit rather different



SCIENCE BRIEFING

Nigel Hawkes

from that of the main stream of small grains shed by the comet, and that they left the comet's nucleus many hundreds of years ago.

They calculated the motion of large dust grains ejected from the comet at each of the last 42 occasions when it made its closest approach to the Sun. They identified September 1333 as the time when most of the observed particles must have been released. These particles

did not spread out in space because of a dynamical process known as resonance, the same process that keeps Saturn's rings in place.

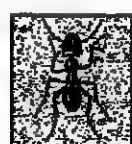
In this case it is the influence of Jupiter which kept the dust cloud intact instead of allowing it to

spread around the entire orbit of the comet.

In the latest issue of *Monthly Notices of the Royal Astronomical Society*, they report that the particles occupy a rather short arc, forming a dense strand of large particles separate from the "normal" strands of small particles, which lie ahead of and behind the comet.

The calculations show that in November 1998 the arc of particles released in 1333 cut right through Earth's orbit, and the calculated time for when this happened matched the observed meteor shower maximum to the hour.

The researchers are not expecting a repeat performance of bright fireballs in November this year. But a strong "normal" display is likely, peaking at about 2am on November 18, because of meteoroids ejected from comet Tempel-Tuttle in 1866, 1899 and 1932 that have not yet had time to disperse around the comet's orbit.



THE invention of agriculture was shared by mankind and the leafcutter ant. These ingenious creatures live on a special fungus that they grow on leaves and fragments of vegetable debris, which they collect and carry back to their nests. Each day they harvest and eat the crop.

But they face the same problem as farmers — other organisms invade their plots and exploit them. Dr Cameron Currie, of the University of Toronto, found that the

Ants that farm their own food

ants' gardens were often invaded by a virulent fungus called *Escovopsis*, but that it never seemed to gain a foothold.

He found the answer in a white material that all fungus-growing ants carry in a kind of bib under their chins. In *Nature* he reports

that this substance is a bacterium, *Streptomyces*. He guessed that the bacteria produced an antibiotic capable of killing the invading fungi. Experiments in a dish confirmed it. All fungi would grow in the presence of the bacterium except the invasive one.

He concludes that the bacteria must be producing a very specific antibiotic which has yet to be identified. To sustain the symbiotic relationship, the bacteria must be getting something out of the deal, too — probably, he suspects, some form of nourishment.

Dogs get a dose of their masters' medicine



DOGS IN the Western world are fed better than many people in the Third World. They also get better medical treatment, with drugs originally designed for human patients finding uses for such canine complaints as separation anxiety and cognitive dysfunction syndrome, a doggy form of Alzheimer's disease.

The drug company Novartis has discovered in trials that clomipri-

madine hydrochloride, an antidepressant used for obsessive-compulsive disorder in human beings, is effective in treating the anxiety that some dogs feel when left alone. The company told *The Scientist* that 14 per cent of the American dog population — seven million dogs — suffer symptoms, so the market is large.

Pfizer, meanwhile, has found that a Parkinson's disease drug, selegiline hydrochloride, is effective in treating CDS, a mental decline

that causes a number of distressing symptoms. About 70 per cent of dogs improved after a month of treatment. Both these drugs have been approved by the Food and Drug Administration in America.

Drugs to stop dogs biting seem an obvious follow-up, but liability claims may put the pharmaceutical companies off. And a really effective treatment for the panic induced in some dogs by fireworks and thunderstorms seems as distant as ever.



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MANCHESTER

When Tiffany's is a cheap option

"WHAT DO you want for your birthday?" asks Peter. "Oh whatever," I lie. We are sitting in Ruby Foo's, Manhattan's trendiest new "Dim Sum and Sushi Palace," specialising in Pan Asian and Pacific Rim.

Ruby Foo's, owned by Steven Hanson of the legendary Ocean Grill, opened this month to Broadway-style reviews, the birth of a restaurant here being of equal if not greater, cultural significance to a new show. But its real claim to fame is that it has opened on the Upper West Side, at 77th Street and Broadway, a district that is otherwise almost devoid of "destination" restaurants.

As New York magazine gushed in its review: "Foo's is a red-hot, polished black and antique gold duplex of such brazen gawk-at-this elegance that its grand staircase can transform the descent of any common flowergirl into a spotlight-worthy entrance to rival Eliza Doolittle's coming-out party."

The Upper West Side, somewhat flatteringly portrayed in Nora Ephron's latest film, *You've Got Mail*, is where many media Manhattan couples move when they start a family and are reluctantly forced to relinquish the loft in TriBeCa.

And Ruby Foo's is trying to appeal to this market of local baby boomers by trumpeting its infant-friendliness. It suggests that one can happily continue one's pre-baby regimen of frequenting restaurants — just bring the little bundle with you like a genetic fashion accessory. Rather like those advertisements for tampons with names such as Liberty and Freedom, with their images of smiling women abseiling down cliff-faces and water skiing in thongs and such copy lines as: "Don't let the time of the month cramp your style."

Foolishly, we have fallen for all of this, although by the time our spicy tuna sushi arrives, Thomas's persistent screams have highlighted the



Joanna Coles
NEW YORK LIFE

central flaw in the baby'n'-restaurant pitch. Oddly, the other patrons don't seem to mind. Young women keep coming over to coo pleasantly at his frowning red face, which clears briefly to flirt

with each new arrival before getting back to the serious contest of showing us that he has more stamina than we have patience. "Can't you think of anything at all?" shouts Peter

above Thomas's conversational-dying din.

"No, really, whatever," I lie again, depressed that he has failed to pick up all the hints that I've been littering all week. For the truth is, although I'm ashamed to admit it, I have been swept up by the city's latest fashion craze. Although I am normally oblivious to the significance of designer labels, I crave a Kate Spade nappy bag. I know — there is nothing intrinsically special about the Kate Spade bag. There is nothing to distinguish it from the many similar bags on the market, except for its tiny black and white label whispering Kate Spade New York.

Yet in the past few months it has mugged the Prada knapsack and shrugged Lulu Guinness off the shoulder as the quintessential accessory in the working-woman's wardrobe, creating a Furby-like fetish among professional women.

"Guess what," says Dani, whose baby shower I went to

earlier this month. "My agent gave me a Kate Spade nappy bag as a shower gift. I whistle in awe. Forget taking her phone calls — this more than anything indicates the degree of seriousness with which her agent regards her."

"How did anyone manage before the Kate Spade nappy bag?" marvels Joyce, a television producer and the mother of five-month-old Jackson, as she fishes through its many pockets and triumphantly retrieves a bottle of Similac.

My own, considerably cheaper, imitation — made by something called Babies Alley — also contains a black portable changing mat and several waterproof pockets for bottles and soiled diapers. I kick it under my chair.

"I was in Frederic Fekkai last week," reports Betsy, a psychotherapist, "and every single woman having her hair cut had a Kate Spade bag."

Even the New York Observer, the city's most cyni-

cal weekly, dispatched a feminist columnist to explain the item's mystique. "It is a bag described at best as plain but there is a stigma — or is it an aura? — that goes with this purse," she admitted, before succumbing to the charms of a green one.

Five hundred women recently eschewed their dawn workouts to turn up at 6am and stand in line for the annual Kate Spade sample sale, picking up e-mails from their flip-top cell-phones and carrying on conference calls as they stood in the queue. Reports back from the fashion front line say that it took 30 minutes to get through the checkout.

"Actually there is something I'd quite like," I say finally as we struggle with the pushchair, carrying it like a sedan chair down Ruby Foo's grand staircase as Thomas raises a regal wave. "I'd like a Kate Spade nappy bag."

"OK," nods Peter. Tuesday: "I'm afraid I just

couldn't do it," says Peter, returning empty-handed from his trek to Barney's. "Have you any idea how much a Kate Spade bag costs?"

"Mmm, I know. They're quite expensive," I murmur. "They're \$450!" Peter explodes. "For a bit of old nylon and a zip. And the ordinary bags, they start at \$750. And they're not even particularly well made."

"I tried," he goes on as I attempt to mask my disappointment. "I really tried to buy one. But I just physically couldn't do it. And so I got you something else."

He hands me a small turquoise box from Tiffany's. Inside is a pair of Paloma Picasso earrings.

"These are beautiful," I admit as I press them through my lobes. "But weren't they very expensive?"

"Well, put it this way," he says. "They're an awful lot cheaper than a Kate Spade bag."

Who would ever have thought that Tiffany's could be the economy option?

Do not clam up, be rigid or frigid

In the third extract from his memoirs, George Walden offers a wry guide to protocol when travelling with the royals

Travelling with the Queen is an art, and it took time to learn the tricks. In my three years working alongside the Foreign Secretary, I became quite the little royal traveller. After visits to Germany, Denmark, Morocco, Italy, Tunisia and the Gulf on the Royal Yacht *Britannia*, I wrote a list of do's and don'ts. It turned out to be all don'ts.

Do not make an oink of yourself by running your own bath. The flunkies know better than you when you need a bath, and will turn up to run it for you, uninvited and at the most inappropriate moment. When this happens, do not say testily "I will do it myself", since that could imply that a) you rarely take baths; b) you are not used to having them run for you; c) you are a republican as well as an oink.

Never overdress at breakfast or underdress at dinner.

Resign yourself to the fact that much of the time on board is spent changing clothes. The maximum I counted was five times a day. At breakfast, when a dressing-down competition takes place among the royal party (though not the Queen and the Duke, who breakfast alone), sweaters and

jeans are as low as you can decently go. You then return to your cabin with just enough time to change again, the first engagement of the day involving morning suits. Lunch means another change, and dinner will be in DJ or white tie. Royalty should be esteemed for their proficiency as quick-change artists alone.

When it is your turn to dine next to the Queen, do not clam up, be rigid or frigid. Do not think yourself a toady for harbouring positive thoughts about Her Majesty: behind her doubtful demeanour lies a strong sense of irony and a genuine wit.

Do not return the foreign decorations that you find on your cabin desk to the host country, thinking that you are a master of protocol. Yes, it is true that the Queen and the Foreign Secretary are not allowed to accept foreign orders, but being too junior to matter, you can accept whatever distinguished medals you like. In return for being number 21 in the Royal Household, I am made, among other things, a Commander of the Order of the Republic of Tunisia and of the Danish Order of the Dannebrog. Remember to wear the one you have just been given

and take care not to wear the Order of the Dannebrog in Tripoli, which is not in Denmark, though there are times when all banquets seem alike and you have little idea where the hell you are.

Do not allow a greedy smile to play on your lips as you contemplate the array of gifts from your hosts that appear miraculously in your cabin. The rule for gifts is the reverse of that for orders: the medals you may keep but the gold watches you must return. Do not, however, return the watches and suchlike to the emir or sheikh who presented them to you, since they do not need the money, but to the Treasury, which does. The sheikh or emir would also be offended, whereas the Treasury is lacking in all human sensitivities.

On one royal trip to the Gulf I amassed a small hoard of gold, including a watch with the head of the local emir kicking from side to side. On my return I duly declared my hoard to the Treasury and was asked for some £7,000 (£20,000 today), the balance remaining after my £30 gift allowance had been deducted. Not being able to lay my hands on £7,000 and having no pressing need for watches with kicking heads, my gold went to the Treasury. Do not ask why you were given the gifts if not to keep, or why the emir do not send a cheque direct to the Treasury. Logic in matters of royal protocol will get you nowhere.

Never turn down a drink, unless it is of local manufacture. Alcohol can drown the boredom. Never display natural human emotions such as impatience or surprise. Above all, remember that royalty are normal people who smile, joke and like to enjoy themselves. Behave normally, but not to the point of smiling too much or making too many jokes. Too much smiling will make you appear a congenial idiot or a subversive buffoon.

Too many jokes will irritate too few laughs, not because the jokes are not funny but because they are not royal. Be respectful but not glum (an infallible sign of the republican), courteous but not over-deferential (a sign of low self-esteem), natural but not too natural (you are with royalty, my friend, and never forget it).

● Extracted from *Lucky George by George Walden*, published by Penguin on May 6. £17.99 available to Times readers for £15. 95p, from The Times Bookshop, 0800 134459.



Wining and dining for Britain: the Queen and the Duke of Edinburgh aboard *Britannia*, with the former Foreign Secretary Douglas Hurd (right)

PRINCE OF WALES

THE fall of the Berlin Wall brought me into contact with the Prince of Wales. A speech I made at the Royal Institute of International Affairs at the end of the Cold War caught his notice and there followed the first of several meetings — an invitation to tea.

It was with a sense of unease that I sat with the Prince in our broad-based chairs in Kensington Palace, with a private secretary who looked as if he had never set foot in a comprehensive school in his life, lamenting the state of the nation's education. The subject brought on the Prince's why-oh-why look, in which he screws up his eyes in agonised incomprehension and folds his brow like rumpled paper. His astonishment was both touching and painful. He could not understand how teachers could not grasp what was so clear to him. Why didn't they see that this egalitarian nonsense was a ghastly mistake and snap out of it?

He was, of course, right. Nevertheless, it was an exasperating conversation. There were so many things the Prince needed to understand and so few ways of telling him. We are all inadequately educated, but in a sense the Prince, it seemed to me, was more backward than most. He did not seem to grasp theoretical concepts and had no experience of a typical English school. How do you converse with a man who has perfectly sensible instincts but no practical or intellectual understanding of the world?

When we talked about the poverty of aspiration it was tempting to ask him how a shopgirl whose role model was Diana — rich, pretty, poorly educated but soppily caring — could be encouraged to aspire to a higher intellectual station in life? Perhaps I should have said it. Maybe he would have understood that. As it was, the Prince gave me the impression of a perpetual puzzled man — puzzled as to his role, puzzled as to the ways of the British, puzzled as to the ways of the world.

TOMORROW

Walden on Thatcher: "Clearly she had reached the stage where no one dared to tell her that she couldn't treat people like that"



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Tony, you're talking globaloney

Globalisation is another moral evasion, says David Selbourne

In 1992, in the wake of the fall of communism, the American thinker Francis Fukuyama proclaimed the "end of the historical process". We were now all liberal democrats, or becoming so. We were in consequence entering a "post-historical period", he argued, in which the great battles of the past, ideological and otherwise, were effectively over.

We came to know soon enough that this thesis, whose vogue was intense but brief, was twaddle. Wars and massacres, a heightened sense of ethnicity, continuing scientific and technological "advances", genetic manipulations, fundamentalist muscle-flexing, ecological changes and all the rest of it have taught us their own lessons. History does not have an "end", in any sense.

Now, a new and equally fashionable thesis is leading us all by the nose: that of "globalisation". It was outlined in all its majesty at the weekend by Tony Blair in Chicago. We live, allegedly, in an essentially new world. It is not, this time, one in which historical evolution has somehow come to an end. Rather, it is one in which the "global" economy, the "global" society, the "global" culture, and "global" citizenship rule the planetary roost. New responsibilities rest on our leaders' shoulders. And new gurus whisper in their ears.

For the ideological father of this thesis, our new Fukuyama, is Professor Anthony Giddens, the Director of the London School of Economics and Mr Blair's favourite intellectual. He has been outlining his theory of globalisation this month as the BBC's Reith lecturer. But the thesis of "globalisation", a mutant form of the "end-of-history" proposition, is, like its predecessor, just twaddle. It is pure globaloney.

National policy decisions, cultural traditions and social conditions remain the important variables in determining a state's economic fortunes. Governments continue, sometimes with justice, to congratulate themselves for making economic choices that are superior to those of their predecessors or neighbours. States must, nevertheless, always be involved in relations wider than their own bounds. Economic autarky and political insulation from other nations are not options. Indeed, they never have been. But governments continue to defend their nations' interests in particularistic ways; in democracies they are backed by their national electorates if they do not.

But what does the thesis of "globalisation" represent? First, it expresses a strong, even apocalyptic, death-wish for the nation-state and the moral order. The nation-state is regarded as basically out of date, having been superseded by "global" forces that dwarf it and which it cannot control. The moral order — any moral order — has been overtaken or subsumed by the universal cause of human rights and of individual self-empowerment from restraint. The family, and many other "traditional"

social arrangements, are being rendered obsolete under "global" pressures of varying kinds. These institutions are all for the knacker's yard and, so goes the wisdom of the hour, about time too. This is the death-wish.

Secondly, the thesis of "globalisation" provides a cover, or legitimisation, for the failures of individual states to tackle their manifold social, economic, ethical and environmental problems. It is highly convenient for some politicians to feel, and to be told, that these problems are beyond their own powers to solve. Thus, if climatic "warming" is "global", as it is, but the individual nation-state is held to be powerless on its own to do anything about it — say, by reducing its emissions of pollutants and noxious gases — the burden of obligation can be transposed on to the back of a "global" organisation. By this means practical problem-solving may be postponed *sine die*. But this is merely another form of moral evasion, in which the global dimension provides a near-perfect alibi for the transference of moral responsibility, and even for entire inaction.

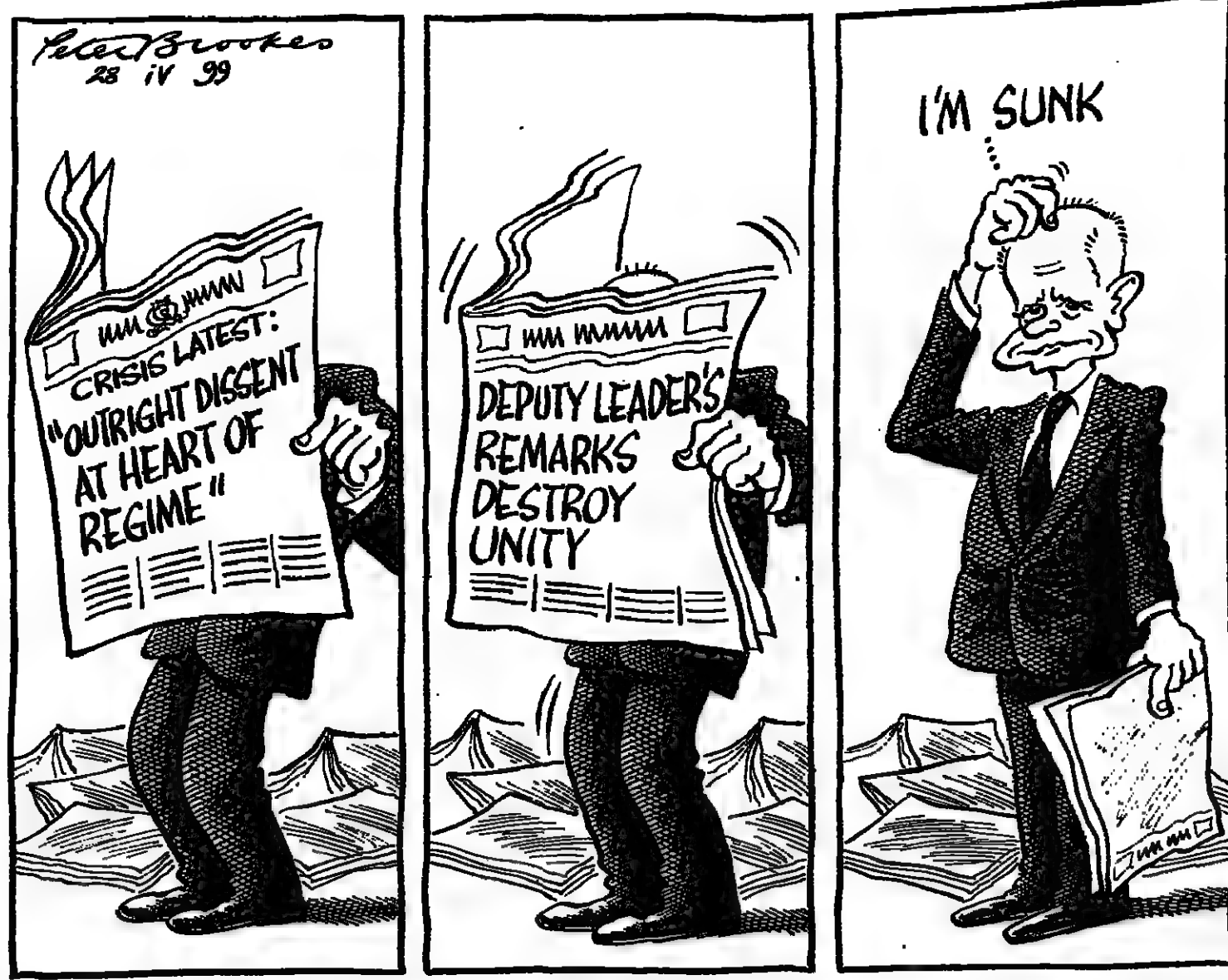
Thirdly, the thesis of "globalisation" is no more than a particular, and limited, construction of reality. A "global" vision is in fact partial and myopic. It sees the wood rather than the trees. It is also a truism. The world is by definition "global", and can be no other. Mercantile and financial greed, especially, have always been global in their intended purchase. There is nothing new about it today, except in its degree.

Moreover, "global" as the world must be, the sun still rises upon us in the particular place (and nation) where we are. We have, much as before, our exits and our entrances, even if science may interfere. We can change our minds, as we can change — some of us — our habits and habits. But we cannot retrospectively change our particular place of birth, or our particular maternal language, any more than we can change our race, or our colour, or — despite "gender reassignment" — our sex.

And only with difficulty can we deny our natural predispositions and talents, our preferences and prejudices, including those in favour of one particular form of local belonging or affiliation over another. The globalotrotting politician, banker, tourist, mafioso or intellectual may see, from the air, the global dimension of human existence. But men and women on the ground are confined, and generally secured, by their associations in a particular place and time.

We are not "citizens of the world". We cannot be: the very concept is a contradiction in terms. But then "globalisation", as a theory, is like that. In common with its predecessor, the "end of history", it promises much as an explanatory notion in our dark times, yet, at the last, provides no real illumination at all.

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Nato's moral morass

The manner in which we conduct this war demeans British values

The spin from Washington is clear. Tony Blair can talk about an air war and a just war, but he must not mention a real one. Real wars kill our people. Mr Blair must go on fighting his war from 15,000ft. The target list must be intensified. The crusade against President Milosevic must be sustained, but not where it might be won, on the ground. Morals are fine for speeches, but in action pragmatism is all.

Britain appears to be alone in Nato in its eagerness to invade Kosovo. President Clinton finds the idea unpalatable and Italy, France and Germany regard it as "off the agenda". Nato proceeds to dither, while intelligence reports that Mr Milosevic has more troops in Kosovo than when the bombing began. Speaking to the American media last week, the Prime Minister barely concealed his frustration at his colleagues' refusal to carry war to its logical next stage, to expel Serb forces from Kosovo and repatriate the Kosovans. He is Prometheus chained to the Nato rock, while a defiant Mr Milosevic gnaws at his vitals.

In this I have some sympathy with Mr Blair. Any belief that Mr Milosevic would sooner or later invite Nato to invade his country was wishful thinking and bombers' rhetoric. Mr Blair now realises this. If Nato was serious about protecting the Kosovans, it would have rushed the rapid reaction force into Pristina last winter when Belgrade was clearly reneging on the October deal and before most of the Yugoslav Army had moved into the province. Nato's much-vaunted "rapid deployment capability" should have proved its mettle. Such an assault would have been no more illegal than the present one, and would have been far more "just", in securing a humanitarian goal against a clearly mendacious Belgrade.

Yet this course of action was never on. One of the more sickening spectacles of the past fortnight has been liberal hawks deriding the conduct of the war "so far", a war they wanted high off the ground, clean, technological and with no Nato dead. They would never have allowed Mr Blair to do the only logical thing, which was to invade. He and they fell on the necks of the air-war lobby, happy to believe yet again that a few Tomahawks would bring a dictator swiftly to his knees. They claimed that Belgrade might even welcome a few bombs so as to

help Mr Milosevic to sell a retreat from Kosovo to the mob. The same naivety must underlie the Cabinet's present faith in the Apache helicopter to somehow get them off the hook. The fact is that every Nato country has always been ready for bombing but not for war.

Mr Blair is said to be taking advice on what to do next from Baroness Thatcher, victor of the Falklands. I know what she will be telling him: get out and bully the pathetic Europeans into action or war is the most tentative, and ineffective, form of engagement, however awful its destruction.

Quite separate are limited wars, fought in accordance with proportionality, in which military behaviour is restricted by moral considerations. As General Frank Kirtson has written of such "policing" encounters, moral restriction makes them very hard to fight, yet restriction is vital if moral supremacy is to be maintained. Last month, Nato behaved accordingly. It said it would scrupulously avoid civilian targets or risking civilian lives. It would tell the truth, respect democratic debate and confine its aggression to achieving specific goals. For instance, it did not seek Kosovan independence or the overthrow of Mr Milosevic.

Recent actions, and justifications, indicate severe "moral creep" on Nato's part. Spokesmen are displaying that hazard of a war that is not going well, of measuring the enemy's standards. The accidental bombing of a commuter train and a tractor convoy was plainly the result of pilots being ordered to fly too high to identify their targets visually. Yet Nato said that the deaths were "really" caused by Mr Milosevic's ethnic cleansing. Asked to justify the conflagration of a civilian chemicals factory, the Defence Secretary, George Robertson, merely said it was no worse than Mr Milosevic's burning of Kosovan villages. Explaining the attempt to kill Mr Milosevic at night in his family home as an attack on a "command and control centre" was spin worthy of Mr Milosevic himself. I still cannot believe that the Prime Minister approved it.

Last week's killing of between 15 and 20 staff at the Belgrade television building came after specific assurances from Nato's spokes-

man Jamie Shea that they were not a target. Either he was lying or he was being lied to by his superiors. The British International Development Minister, Clare Short, claimed that the staff were "legitimate targets" since the station had refused Nato's fanciful demand that it broadcast six hours of "Western programmes" in place of its own propaganda. By no known definition of war were these civilians classifiable as combatants. Yet they were treated by Nato's targeters as the equivalent of spies, executed without trial. Nato did not apologise for killing them, but appeared to seek moral equivalence between their deaths and Mr Milosevic's recent killing of a dissident editor.

So deep is this ethical morass that Robin Cook could yesterday go on radio to castigate as "brutal" Mr Milosevic's sending of soldiers to occupy a TV station. The Serbian President dispatched his troops to the outlet supported by his critic, Vuk Draskovic. This is the rival station to the one the Foreign Secretary had just bombed, killing half its occupants. In the ruthless media politics of Belgrade, Mr Milosevic is a comparative softie.

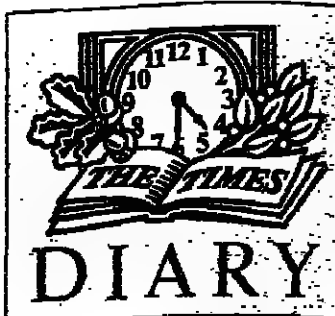
Mr Cook and Ms Short ask us to accept that, because Western journalists are on the side of right and Serbs on the side of wrong, the premeditated killing of the latter is a "just act". The massacre stopped broadcasts for just six hours, and risked the life of every Western reporter in Yugoslavia. I cannot see the proportionality, let alone the morality, in this. Targeting civilians remains wrong, and it is no good ministers repeating that the Kosovans were civilians too. It is an odd "just" war that seeks an equivalence of mayhem in others' conflicts.

Military intervention in Yugoslavia was wrong from the start. But even now it must be "moral" or it is mindless. I know the war's macho supporters will dismiss this ethical nicety as defeatism. Nato must win. People will get hurt. Every Serb is a legitimate target and we need to remember only that Mr Milosevic is worse than us. I disagree. The warmonger cannot plead a moral end and deny morality a role in the means. He cannot summon the nation to a just war, and say justice is for winners. Any British war should be better than that.

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Simon Jenkins



Agony Auntie

I BOW to no one in my grief after the death of Jill Dando. But signs that a strange, Diana-esque cult of sadness is taking hold are evident at the BBC. Staff have been offered round-the-clock grief counselling.

A global e-mail has been sent to employees by Richard Sambrook, head of news gathering, saying that teams of therapists have been drafted in to White City. Even those who never met the presenter can seek therapy "no questions asked". Security has also been stepped up. Michael Buerk, Anna Ford and Kate Adie will no longer be allowed into the building without passes.

Ed Halling, chief investigator at the BBC, has been charged with reviewing security for potential targets. He has received 20 calls since Miss Dando's death, as fears for the safety of big names grow. "They are certainly concerned about a threat to BBC staff."

MORE motoring capers with Peter Mandelson. Luxuriating in his new Fiat Punto at the weekend, his exhaust fell off.

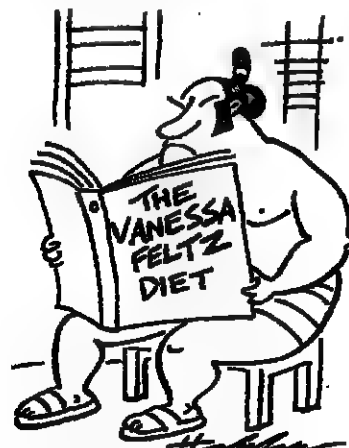
ACUTELY aware of the frailties of youth, Eddie Bell might give Michael Owen (below left) an early bath. The HarperCollins boss (right) is worried about his £1 million signing. The Liverpool star was stretched out the pitch after agreeing to write his memoirs (not



bad for a 19-year-old). His little mishap, ending his season, set lawyers thinking. "We have included an injury clause," says Michael Doggart, handler. "We are protected against long-term injury. As long as it is passing, then the deal stays." If not, further negotiation "will be in order. Bell, an Arsenal man, says: "I am sure he will be back next season causing havoc for us."

BERNARD MANNING is William Hague's answer to Sean Connery in Scotland. The amusing bon vivant has been wheeled out as the Tories' most vibrant celebrity. Here is his rallying call: "Socialism doesn't work. Look at Russia. You can't take out of the pot what you're not putting in. Unity is power. That's my motto." And Stalin's, too.

STEPHEN TWIGG has had to curb his ambitions. The MP has cancelled his £200-a-head dinner to launch his re-election campaign for Enfield Southgate. Awkwardly, the fundraiser would have set the clock ticking on crucial election expenses. Stephen took advice. "On reflection I decided this wasn't an appropriate event at this time," he says. Peter Mandelson, the star speaker, lost the chance to help propel him back into higher office, but is promised another go soon.



ALWAYS keen to associate with winners, Alastair Campbell has been squirreling Peter Reid, the successful manager of Sunderland, around Downing Street. Old baby-munching Campbell held few fears for Reid. "Sports hacks give me a tougher time than these lobby journalists give Alastair," he said (correctly). Stand by for Peter Reid, MP — or Campbell as a Sunderland fan after the recent performance of his favoured club, Burnley.

JEREMY THORPE recalls a more patrician era. He was with George Brown and Alec Douglas-Home when Brown advised his predecessor as Foreign Secretary to move into the official pad in The Mall. Thorpe says Harold Macmillan had noted: "It's a pretty house. When the Duke of Devonshire sold Devonshire House, he bought it to have somewhere to store the furniture." "Chris" was all Brown could say.

JASPER GERARD

'If I appear in pubs, darts games end and landlords run out of ice, and when I set foot on a zebra crossing I take my life in my hands'

It is time for me to leave Cricklewood. I have no option. I do not want to leave Cricklewood. God knows (for He can see my fingers trembling as they tap the words, He can hear the hot tears pattering on to my keyboard, He understands, it is His job) but any day now — make that any night — I shall heartily chuck the bits and bobs of three decades aboard a handcart, grease its axle, muffle its wheels, and, provided there is no moon, push, literally, off. Praying as I furtively scuttle that there is no inquisitive neighbour standing at his bedroom window keen-eyed enough, despite the dark, to speed my going with a valedictory brick. For who could blame him? These 30 years, he and his fellow-villagers have indulged me with an ever-lengthening tether, but now, at last, they have found themselves at the end of it.

Brought there by Richard Curtis. Because Richard Curtis, who lives in Notting Hill, has made a film called *Notting Hill*. I know I do not need to tell you this, I know you knew it two seconds after God knew it, it has not even publicly opened, is the most known film ever made. Everything about it has been told in Gath and published in the streets of Askelon. Previews have appeared to shepherds watching their flocks by night. Open any Gobi tabloid, switch on any Inuit channel, cock an ear in any souk, down any coalmine, up any alp, and the talk is of little else. There can be nobody on the planet who does not know that *Notting Hill* stars Hugh Grant as an unsuccessful bookseller who falls for a famous actress played by Julia Roberts. Just as there can be nobody who has not read that, as the result of all this taradiddle,

Notting Hill stands poised to shove Casablanca from its podium as celluloid's most glamorous address. It could well become the first nominee to win an Oscar for Best Postal District. So, since Mr Curtis has manifestly triumphed, by his myriad romanticising skills, in making this dog-eared West London enclave so chic, so famous, so globally desirable, is it any wonder that his neighbours should fall to their knees each bedtime, and bless his name?

And is it over the top to wonder that mine do not go to bed at all, preferring to hold back masses, strange cockerels, and sticky rusty hampins into a crude plasticine mannikin with a snapshot snapped from this newspaper

Alan Coren



gummed to its little bald head so that Old Nick need be left in no doubt whatever? You would not believe the new *froideur* in the Cricklewood streets, crossed as soon as they spot me coming by those who would once smile, and pause, and gossip. Dogs are tugged away from my pat, children folded into their mothers' skirts. change is wordlessly slapped down on shop counters, and Next Window signs slapped up in banks and post offices. I have only to appear in pubs for darts games to finish and landlords to run out of ice, and every time I set foot on a zebra crossing I take my life in my hands. If I wanted to borrow a cup of sugar or a pair of secateurs, I should have to drive for miles.

So then, is this sudden and deeply distressing disaffection simply the product of Cricklewood's resentment that I have not done for it what Richard Curtis did for Notting Hill? Are the villagers enraged that the hack among them did not seize the chance to glorify their patch into an international byword for cuteness to fill the absent world with envy? Well yes, but that, I fear, is only a part of it. For it is not simply that, while Mr Curtis has sought every opportunity to select those features of Notting Hill which will enhance its charm and assiduously eschew those which might detract, I have, for Cricklewood, always striven to do the opposite, since my neighbours seem never to have minded that too much, have rarely raised a hackle, and have only occasionally tutted — perhaps because they were grateful that Cricklewood received any

public mention at all, but certainly because they clearly never felt that any harm was being done. Now?

What has so upset them now is that brightest among all the glare of publicity attending *Notting Hill* shines the revelation that local property prices have gone through the roof of every house, flat, and kennel in the area — including Mr Curtis's own two-bedroom bolt-hole, currently on the market at £1.3 million. And that, I'm afraid, is what Cricklewood holds against me. It senses that my depiction of it down the long arches of the years will serve only to prove that prices can go down as well as up. That is why I shall have to leave, although quite when, of course, I cannot say. Selling my house won't be easy.

ONLY CO
London's Millennium Bridge I
three hundred years ago an elderly
man had a window gazed out across
the river and had smiled his
goodnight to the world. For there, on
the northern bank of the Thames, his
house stood. The house was slowly
being raised, and it came above a
cathedral. The house was Christopher
Wren's. The cathedral's finest monu-
ment to the architect which Wren would
have seen in his old age, which Wren
could scarcely have seen, when Wren
was still a boy, an inhumanly
improbable, a little stream strip
of a bridge, one of London's
many bridges, and it has been many
years since the Thames was crossed by
the highest of ferry passengers.
The bridge may be enjoyed once
more by John Prescott, the
Prime Minister, inaugurates the
new Millennium Bridge. The first
pedestrian bridge ever to have spanned the
river, the bridge will have spanned the
sight of their history. It will
link with the past

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-762 5000

CRISIS OF CLARITY

The current Conservative strategy lacks credibility

Only the conflict in Kosovo and tragic shootings at home and abroad have obscured just how traumatic the past week has been for the Conservative Party. Its Central Office is riven by scapegoat hunters. The Shadow Cabinet is in utter disarray. The parliamentary party, which thought that it had lost the capacity for shock, is bitter and angry. Old alliances have been broken. Many of those most appalled by Peter Lilley's address last week were his staunchest supporters when he sought the Conservative leadership in 1997.

It is worth recapping why Mr Lilley's lecture, and William Hague's defence of his deputy, proved such an important moment. Mr Lilley was understandably sensitive to the charge that Tories are not trusted to run the public services. He appreciates that this lack of trust stems from an impression that the party is bent on crudely privatising huge chunks of the health and education sectors. But Mr Lilley's attack on the principle of market solutions, which offer a useful additional discipline to the spirit of public service, was of a rare intensity and tone. It cut the ground from under those of his colleagues who are seeking new, and sophisticated, policies. He repudiated a mythical past without offering any sense of a solid future. The Tory future is a *terra incognita* that may never be found by those who are now in charge.

On Monday evening the Shadow Chancellor, Francis Maude, promised to match the additional expenditure on the NHS and schools that has been pledged by the Chancellor. In a limited sense the specific pledge on money already committed could be seen as understandable. Apparent confusion over where the Tories stand on health and education spending has been exploited for nine months by the Labour leadership. It was never likely that the

Conservatives could enter the next election committed to rolling back Mr Brown's spending on the NHS.

But this question opens several others for the future. As the economy turns in Mr Brown's direction, he is steadily building up his war chest. He has already proposed an income tax cut and it is certain that there will be further announcements of even more billions of pounds for health and education. Have the Tories decided that they will match such an electoral bid or even attempt to outflank the Chancellor? What scope will be left for tax reform or any other aspect of their potential agenda if they do? Sir Alec Douglas Home once described the 1964 Labour manifesto as a "men's without prices". The Shadow Chancellor has now entered an auction without a ceiling.

When the issue is the public services the Conservatives cannot hope to spend their way to mass affection. Their only prospect is to persuade an increasingly sophisticated electorate that schools and hospitals need to be run differently if they are to be affordable and effective. This was precisely the possibility that Mr Lilley's colleagues felt that his speech closed down. This issue is not, as Mr Hague seems to think, the equivalent of Labour's Clause IV. The Tory message should be, to borrow from the Prime Minister, "what matters is what works".

The local election results on May 6 will probably provide Mr Hague with a respite from his problems. An advance of more than a thousand council seats on a mere 25 per cent turnout may raise morale but will not, in brutal truth, be a good result. The Conservatives have suffered a crisis of clarity not for two years but for at least seven and until that ends they are unlikely to stage a recovery. They are in a deep hole and, for the moment, cannot stop digging.

A BLIP ON THE SCREEN

The West should not assume that Milosevic is weakening

For the past week the British Government has claimed that cracks are appearing in the Yugoslav leadership. George Robertson sees in the revealing television broadcast by Vuk Draskovic, the Deputy Prime Minister, which admitted the gravity of Serbia's predicament, "a hole in the facade". Last week he spoke of "panic and concern" in the Yugoslav High Command. Nato echoes these claims.

Much of this is wishful thinking. The broadcast was indeed the first in which Serbs have officially been given that they are isolated, that Nato unity has held, and, significantly, that atrocities are being committed in Kosovo that constitute war crimes. It might seem to take some courage to question nationalist-patriotic propaganda at a time when public anger at Nato is intense. But analysts should consider the source. Mr Draskovic has changed direction so many times and with such brazen opportunism that he has ceased to have much domestic credibility.

He began his political career as an ultra-nationalist proponent of Greater Serbia and ally of the fascist Vojislav Seselj. But he then turned against the wars in Croatia and Bosnia and recast himself as a liberal opponent of Slobodan Milosevic, bent on rescuing Serbia from isolation. Joining with two other opposition leaders in the "Zajedno alliance", he showed some courage as a leader of protest marches and was arrested and beaten by security forces. But Zajedno, which two years ago was a real focus for political opposition, disintegrated as a result of personal rivalries. In an act widely seen as a betrayal, Mr Draskovic then joined the Government.

The suspicion must therefore be that Mr Milosevic, the master puppeteer, has licensed him to voice his criticisms — as a sop to pent-up resentment on the streets

and a feint to fool foreigners that his Government is reasonable and realistic. His aim is to strengthen Western voices for compromise, by using Mr Draskovic to suggest a softening of Belgrade's position. Greeks, Canadians and others minded to give Russian diplomacy every chance will point to Mr Draskovic as evidence that Belgrade may be ready to talk. At home, the broadcast could be useful in flushing out opposition which can then be crushed.

Mr Milosevic has spent a decade outwitting his enemies. The army presents a far greater threat than his powerless lieutenant. He was sufficiently unsure of its loyalty last November to purge its leadership, replacing the chief of staff, head of state security and head of the air force with loyalists and men ready to do his bidding in Kosovo. Last month, he purged the Montenegrin army command. But in the senior ranks there are still thought to be many officers appalled by ethnic cleansing and deeply resentful of what they see as a stain on the reputation of an army with considerable professional pride.

A threat might also come from Mr Milosevic's corrupt inner circle of cronies. They see their sources of wealth, from smuggling and the control of state assets and monopolies, disappearing under Nato bombs and their foreign bank accounts frozen. There is neither love nor loyalty in such a circle: few of these profiteers would have qualms if Mr Milosevic encountered the kind of "accident" that his enemies have suffered. He has shown few signs of cracking under pressure. But his paranoia shows in the murder of a prominent newspaper editor and the expulsion and prior censorship of foreign journalists. The apparently impregnable Ceausescu regime in Romania cracked without warning. So could that in Belgrade.

ONLY CONNECT

London's Millennium Bridge links the future with the past

Almost three hundred years ago an elderly man must have thrown wide the windows of his riverside home and gazed out across the waters. And he must have smiled his thin, proud smile at the view. For there, on the far, northern bank of the Thames, his most splendid achievement was slowly growing, rearing its great dome above a city's skyline. The man was Christopher Wren and St Paul's, his cathedral, was to come one of the capital's finest monuments. Yet the view of it which Wren would not have so admired has scarcely been appreciated since. Bankside, where Wren lived, was until recently an inhospitable place, its embankment a litter-strewn strip: the edge of Southwark, one of London's poorest boroughs. And it has been many years since the Thames was crossed by nothing but lightermen ferrying passengers.

Soon Wren's view may be enjoyed once more. This morning John Prescott, the deputy Prime Minister, inaugurates the construction of the Millennium Bridge. Before the year 2000 has passed, a slender walkway will have been thrown out across the Thames, joining St Paul's on the north bank with the new Tate Gallery of modern art at Bankside. The first pedestrian bridge ever to have spanned the river, it will restore to modern Londoners some of the sights of their history. It will be a link with the past.

The best bridges have always been as symbolic as they are serviceable; they have always amounted to more than the sum of their parts or their practicality. Human nature is wary of gaps. Structures are cast out across empty spaces to link times and ideas and communities together. The new Millennium Bridge will help to do all this. One of the few London landmarks genuinely to belong equally to north and south bank dwellers, it will work to knit traditionally divided districts. It will join the financial centres of the City with the world of the Tate, link high-tech skyscrapers to the 16th century in Shakespeare's reconstructed Globe.

Perhaps most importantly, this elegant new structure will help to restore the delights of the Thames to those who live in or visit London. Banked away behind concrete, traversed only by traffic, rarely sensed except through the roar and fume of impatient motors, the river has been neglected. But when the bridge — designed by sculptor Anthony Caro and the architect Sir Norman Foster — is completed, walkers will be able to stroll out across the paces of the water. They will be able to listen to the slow slap and suck of the tides, smell the salt tinged winds, watch the treacherous roll of suspended sediments — sense the essence of an urban river as it captures the spirit of today.

'Cries of pain' at legal aid reform

From Mr Charles Holcombe

Sir, The Lord Chancellor and the Law Society are at odds over the proposed cuts in legal aid, which is currently running away with £1.6 billion of taxpayers' money (report, "Irvine clashes with Law Society", April 26).

That the Lord Chancellor wishes to change the culture of our litigation scene is admirable, but what organisation in its right mind would agree to curb £1.6 billion of fees?

Of course we all know that the present system is exceptionally adversarial — as anyone who has been through a divorce will no doubt know — but with an almost unlimited supply of money to fight the case, why should lawyers even contemplate killing the proverbial goose?

Expensive full-page adverts by the Law Society this week show just how worried it is that their reforms will affect its members, but most people who do not have any vested interest in these matters will know that a change is drastically needed in the whole culture of our litigation process where lawyers are motivated not by justice, but more often just pure greed, and this is surely wrong.

I hope that the Lord Chancellor will not budge in his reforms.

Sincerely,
C. HOLCOMBE,
6 Dorset Gardens,
Brighton BN2 1RL
April 26.

From Mr Gerard Cosgrove

Sir, Would not the interests of the individual who features in the Law Society's expensive advertisement today be best served by a competent lawyer (confident in their own ability to gain reward in a no-win, no-fee arrangement) rather than by someone who wanted guaranteed payment regardless of their ability to plead the case successfully?

Or is the Law Society saying that its members deserve to be paid regardless of their competence?

The case, as quoted, looked like a cast-iron cert, but the Law Society seems to be implying that none of its members would touch it with a bargepole unless they had guaranteed money made available.

Yours faithfully,
GERARD COSGROVE,
13 Jarrett Avenue,
Wainscott,
Rochester, Kent ME2 4NN
April 26.

From Mr Julian Nettlefold

Sir, I am amused by the cries of pain from the Law Society with regard to the Access to Justice Bill.

It is worried that a litigant can only win legal aid if "he can prove he's almost certain to win his case". For decades lawyers have told clients that they are bound to win their case and should immediately apply for legal aid.

Now it appears the Government has at last called their bluff.

Yours faithfully,
JULIAN NETTLEFOLD,
3 Barney Mains,
Haddington,
East Lothian EH41 3SA.
j.nettlefold@battle-technology.com
April 26.

Pension claim delays

From Miss Rifat Mushtaq

Sir, On January 11, 1995, I issued proceedings in the then Industrial Tribunal on behalf of a lady who had worked part-time at the same branch of a multinational food company for some 17 years.

She had just retired on her 65th birthday and was ineligible for a pension. This is one of the 45,000 similar cases that have been lodged in the Employment Tribunal. The claim was stayed shortly thereafter.

Now 69, my client, who has never been involved in litigation before, is finding the wait for her claim to be heard stressful. The lead case still has not been determined by the European Court of Justice.

For a long time I have felt that the delay has been a scandal, but I am now extremely anxious, following the decision of the Employment Appeal Tribunal in the case of Lewis and Gwynne v. MGN Ltd (Law Report, April 21).

The EAT held that there was no power conferred on the tribunals in either the Race Relations or Sex Discrimination Acts to substitute as claimant the estate of a person who died. I had already been told that a significant number of the claimants have died.

Not only should these cases be expedited but I would suggest that Parliament amend the law forthwith so that the claimants' rights will survive their death.

I write this letter today, when fast-tracking is introduced in the Civil Courts. My client will be too old to enjoy her pension, if ultimately successful, and if she dies her estate cannot benefit. Unscrupulous defendants have every reason to delay the determination of these claims.

Will the Government move quickly to resolve these problems?

Yours faithfully,
RIFAT MUSHTAQ,
Mushtaq and Co (solicitors),
14-16 Bristol Street,
Birmingham B5 7AA.
April 26.

Changing influences on divorce

From Ms Mary Hooper

Sir, The owner of Country Partners, the introduction agency for the over-45s, says husbands "go off with younger women" (report, "Divorce edging out the silver wedding", April 24), but I have found it is more often the older wife who instigates the marriage break-up, usually because she is no longer prepared to put up with her husband's attitudes or treatment of her. Behaviour that we tolerated in our twenties is no longer funny now we are in our fifties.

Those of us who married before the onset of feminism were taught to treat our husbands with deference. They were the men, in charge, heads of households. In return, they treated us thoughtlessly, selfishly or without respect then we just had to put up with it.

Since the Seventies, however, a different type of relationship has been possible: a new one where both partners are of equal importance and both have views which matter. Respect, tenderness and love are of paramount importance, and if these are non-existent in a relationship then more and more older women are feeling brave enough to move on.

Yours faithfully,
MARY HOOPER,
27 Bell Road,
East Molesey, Surrey KT8 0SS.
April 24.

From Mr John Foley

Sir, It is hardly surprising that an experienced family solicitor advises that it is most important to choose an

experienced family solicitor (feature, "The good divorce guide", April 20). As Families Need Fathers we take the view that the welfare of children is much too important to be left to solicitors and that parents should take control of their own case and represent themselves.

Sadly, this is the only course available for the majority of fathers who cannot afford legal fees and do not qualify for legal aid.

Yours faithfully,
JOHN FOLEY,
17 Ullswater Crescent,
Kingston Vale, SW15 3RG.
April 20.

From Mr Francis Campbell

Sir, In the Child Support Agency's booklet, *For parents who live apart*, the parent who lives with the child or children concerned is called "the parent with care". The other one is called "the non-resident parent". Here are two quotations from the booklet (my italics):

Note that the amount you pay may be lower in the minority of cases where the parent with care has substantial income of her own. If the non-resident parent gets Income Support... he will pay nothing if he is sick or disabled or has dependent children in his household.

Do not these quotes reveal institutional sexism and prejudice in the CSA?

Yours faithfully,
FRANCIS CAMPBELL,
1 Mendip View, Wington Road,
Congresbury, Somerset BS49 5AN.
April 26.

'Emasculated' local government

From Dr Alistair McFarquhar

Sir, Simon Jenkins says ("Cross with St George", April 23) that identity in England centres not on regions but on cities and counties, which merit increased autonomy from central government over, for example, raising local taxes. The current 1998 White Paper proposal to allow local government to increase (but apparently not reduce) the uniform business rate by 1 per cent per annum annually for five years is a desecration of the shuffling of devolution. In any case, it seems currently to be on the back burner.

The past two Governments have treated local government like former nationalised industries, dependent on central government for about four-fifths of its finance. Tax and expenditure capping, plus a uniform business rate, have served only to perpetuate its inferior status. Incidentally, how does Government justify a uniform business rate while resisting, on principle, tax harmonisation in Europe?

The penalties of emasculated local government are exacerbated by the current planning system, which is negative and inhibits investment. With some exceptions, where investment is needed for regeneration and employment developers do not want to invest where they do, the nimbys and environmentalists do not want them.

A business tax over which local governments had substantial control would allow some of them to set rates to attract investment. The revenue generated could be used to compensate objectors for amenity loss associated with profitable local development.

Current proposals for reform reveal a Government and Treasury wishing to retain a vice-like grip on local finance, and a colonial approach to devolution and local democracy.

Yours faithfully,
ALISTAIR MCFARQUHAR,
Downing College,
Cambridge CB2 1DQ.
a.m.m1002@cam.ac.uk
April 25.

EU patron saint

From Mr Keith Havelock

Sir, I commend St Bruno, the patron saint of trade marks and of the Institute of Trade Mark Attorneys, as a patron saint for Europe (letters, April 14 and 21), as the EU is essentially an economic and trading community (or at least we hope it is).

Yours truly,
KEITH HAVELLOCK,
Kintail, 25 Beaconsfield Road,
Claygate, Surrey KT10 0FN.
April 21.

From Mr James Thomas

Sir, Plain Hermes — surely a candidate. Messenger and herald of the gods, the divinity of commerce, theft, travellers and rascals. Also regarded as the patron of travellers, merchants, and of thieves, pickpockets and all dishonest persons.

Yours faithfully,
JAMES THOMAS,
6 Hunter Place,
Louth, Lincolnshire LN11 9LG.

From Mrs Susan Maxwell Scott

Sir, If we must have a patron saint for the EU may I suggest St Jude (October 28), the patron saint for lost causes?

Yours sincerely,
SUSAN MAXWELL SCOTT,
12 Kelmess Road, SW11 6QY.
April 26.

Branson's business

From Mr Brian Basham

Sir, On September 8 last year you published an extract from Richard Branson's autobiography, under the headline "If I was going to stop BA's Dirty Tricks Campaign, I needed proof".

At that time I was still embroiled in libel actions, which I won, against the author and publisher of the book, *Dirty Tricks*, which covered much of the same ground as your serialisation.

Your extract failed to reflect that in his book Branson himself mitigates the accusations levelled against me. As an example, he concedes that I was engaged in corporate research, when he says (page 374): "To be fair to Basham, he was concentrating on Virgin's corporate profile."

Your readers were informed that I told a reporter that a rumour was circulating that Virgin Atlantic was having to pay cash for fuel. They were not told (page 381) that I warned the

High-tech Latin

From Professor Dennis Wood

Sir, Your frequent and most welcome commentaries on things Roman, notably your recent leaders on the London sarcophagus and the ships discovered at Pisa (April 15 and 21), assume a readership for whom the world of Lucretius, "mare nostrum" and the technicalities of the "corvus" are more than mere schoolboy memories.

Any such readers who wish to keep alive, whether passively or actively, the language of Cicero might consider joining the "Grex Latine loquentium" (e-mail listserve@plearn.edu.pl), where they will read arguments about Kosovo, Virgilian hexameters and discussion of the game of *latrunculi*, all composed in Classical Latin.

Yours faithfully,
DENNIS WOOD,
12 Selly Wick Drive,
Selly Park, Birmingham B29 7JH.
d.m.wood@bham.ac.uk
April 23.

Classical mix-up

From Mr Damian Boddy

Sir, The use of Latin, Italian or any other foreign tags (letter, April 27), should only be *faute de mieux*.

Yours faithfully,
DAMIAN BODDY,
113 Kenyon Lane, Croft,
Warrington, Cheshire WA3 7DU.
April 27.

journalist that the truth of the rumour could not be verified by BA.

You also omitted evidence that confirms the accuracy of my research. No reference was made to Branson's many cash crisis admissions, in particular (page 322):

Signing Janet Jackson would send out the right message to all the people in the City and the CAA who might believe the British Airways rumours that the Virgin Group was suffering a cash crisis. The only trouble was that we were indeed suffering a cash crisis.

These facts support my contention that I conducted an objective and accurate assessment of Branson's business which was far removed from dirty tricks.

Yours faithfully,
BRIAN BASHAM,
14 Elsworth Rise, NW3 3SH.

Letters should carry a daytime telephone number. They may be faxed to 0171-762 5046.
e-mail to: letters@the-times.co.uk

Reporting of Jill Dando's murder

From the Rector of St Michael, Cornhill and St Sepulchre-Without-Newgate

Sir, Jill Dando was a competent and likeable television presenter and the news of her murder has shocked and saddened us all, but the effusiveness of the BBC's coverage of the event was out of all proportion: the first 15 minutes of the six o'clock television news given over entirely, not only to report, but to maudlin and sentimental biographical reminiscence.

Our prayers and sympathy are with her family, but one is bound to wonder, if this is the measure of coverage when a TV star dies, what words will be left when it comes to having to report the death of the monarch?

Yours sincerely,
PETER MULLEN,
The Watch House,
10 Giltspur Street, EC1A 9DE.
April 26.

From Dr Dominic Horne

Sir, On the day of the funeral of six employees of Serbian television it was interesting to contrast the reporting of and reaction to the murder of one of their British colleagues. In my opinion their killing was not any less heinous an act and no less deserving of our revulsion.

Yours sincerely,
DOMINIC HORNE,
32 Dalmeny Road,
Edinburgh EH6 4QY.
April 26.

From Mr R. A. D. Orchard

Sir, After Dunblane *The Times* was four-square behind the banning of handguns, in this country, which deprived thousands of sportsmen of their hobby.

Today, following the tragic murder of Jill Dando, your Home Correspondent Richard Ford states (later editions) that "one reason for the rise of the handgun is the much greater availability of handguns". You cannot have it both ways: with the threat of ten years' imprisonment for non-compliance, legally held pistols were handed in.

It appears that, far from improved public safety, there is suddenly a greater availability; most strange.

Yours faithfully,
R. A. D. ORCHARD,
12 Elm Close,
Waltham Abbey, Essex EN9 1SQ.
April 27.

Violent video games

From Dr Mark Griffiths

Sir, I would like to add to my comments in Valerie Grove's article (April 24) about violent video games. The Denver massacre raises interesting questions about the effects of videogame violence on social behaviour. Despite continuing controversy for more than 15 years, there has been little in the way of systematic research on whether video games have the same effect regardless of age. The one consistent finding is that the majority of the studies on very young children — as opposed to those in their teens upwards — tend to show that children do become more aggressive after either playing or watching a violent video game.

There is also the social context of playing. Does playing in groups or individually, with or against each other, make a difference? Recent research suggests that competitiveness increases aggression. There are also problems concerning the definition of "violent" or "aggressive" as there are numerous television cartoons such as Tom and Jerry which may not be regarded as violent within definitions employed in media research. Therefore, research into the effects of long-term exposure to violent video games remains speculative.

Yours faithfully,
MARK GRIFFITHS
(Reader in psychology; author, *Video Game Playing in Children and Adolescents*, Park Published Papers, 1997).
The Nottingham Trent University,
Burton Street, Nottingham NG1 4BU.
April 26.

Cavalry in battle

From Mr Richard Winward

Sir, As a former footsoldier I often used to ask what possible use cavalry could be in modern warfare (letter, April 19). The answer, delivered with hauteur, was invariably along the lines of the old *Punch* cartoon: "To add a little tone to what would otherwise be a vulgar brawl."

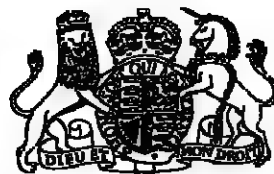
Yours faithfully,
RICHARD WINWARD,
New House, Brook Street,
North Newton, Bridgwater TA7 0BL.
April 19.

Recorded delivery

From Mr Allen Watson

Sir, If the announcement to abandon the aircraft is a recorded message (reports, April 26 and 27), does this mean the crew have already jumped?

Yours faithfully,
ALLEN WATSON,
32 Baldwin Road, Greatstone,
New Romney, Kent TN28 8SY.
April 27.



COURT CIRCULAR

WINDSOR CASTLE

April 22. By command of The Queen, Vice Admiral Sir James Waterhouse (Marshall of the Diplomatic Corps) called upon His Excellency Mr. Denis Hannon at 12, Prince Consort Road, London, this afternoon, in order to bid farewell to His Excellency upon relinquishing his appointment as High Commissioner for Jamaica in London.

April 23. The Governor-General of Australia and Lady Deane were invited to lunch with The Queen.

April 27. The Duke of Edinburgh thus morning departed from Riyadh for Jeddah.

His Royal Highness this afternoon visited Old Jeddah.

The Duke of Edinburgh this evening attended The Queen's Birthday Party Reception at the British Consulate General and later attended a Dinner with The Crown Prince.

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The judges take a close look at a display of geraniums at the Royal Horticultural Society show at Westminster yesterday

Duke puts on a rare display of favourite plants

BY ALAN TOOGOOD
HORTICULTURE CORRESPONDENT

JIM LINK, the head gardener at Chatsworth, Derbyshire, is retiring in September after 50 years service with the Duke and Duchess of Devonshire, Ian Webster, with 27 years' service at Chatsworth, will then be heading the gardening team.

To celebrate these changes, the duke and duchess have staged a display of plants grown in the Chatsworth greenhouses at the Royal Horticultural Society's flower show, which is showing part of the national collection of show auriculas (green, grey and white edged). Apart from pinks from the past, the exhibit also highlights the recent breeding work of Tim Coop, of Harrogate, North Yorkshire, a top exhibitor at auricula shows and a gifted breeder. Mr Coop specialises in fancy green, grey and white edged show auriculas and is producing hybrids in beautiful and unusual colour combinations.

The National Council for the Conservation of Plants and Gardens of RHS Garden Wisley, Surrey, is showing part of the national collection of narcissus or daffodils. The exhibit shows the work of many outstanding daffodil breeders from the past and present, and illustrates how the daffodil has improved over the years. One of the oldest on display is "White Lady", pre-1897; one of the newest is "Ballyrobert", a deep yellow trumpet daffodil introduced in 1991.

Other gold medalists are Dibleys of Ruthin, Denbighshire showing streptocarpus and Southfield Nurseries of Monrovia, Lincolnshire showing flowering carnations. Several competitions are being held with the show. In the RHS main rhododendron competition, Mr Edmund de Rothschild, of Exbury Gardens, Hampshire, has won the Lionel de Rothschild Challenge Cup for six species, the Rosa Stevens Challenge Cup for a species, first prize for six hybrids (including the Exbury-raised, yellow "Haw Crest") and the Crossfield Challenge Cup for three hybrids raised in the exhibitor's garden (including yellow "Jessica de Rothschild"). Brian Wright, of Crowborough, East Sussex, has won the McLaren Chal-

enge Cup for a species, and the Loder Challenge Cup for a hybrid. In the RHS ornamental plants competition, the Earl and Countess of March, of Goodwood Estate, West Sussex, have won first prize for four different flowering shrubs.

Mr Brian S. Duncan, of Omagh, Co. Tyrone, has fared well in the RHS late daffodil competition, winning the John Lea trophy for 12 cultivars bred by the exhibitor, and the Devonshire Trophy for 12 cultivars.

Anna Ware, of Dorchester, Dorset, has won the Walter Bunt Trophy for nine blues in the RHS tulip competition.

In the Royal National Rose Society's spring competition, Mrs Genta Gray, of Little Barrow, Norfolk, has won the prize for best specimen bloom with large-flowered "Sunderland Supreme".

The best plant in the Bonsai Kai competition is a 20-year old multi-stemmed *Acer palmatum* (Japanese maple), shown by Mr Colin Ellis, of London.

The show, in the New Horticultural Hall, Greycoat Street, Westminster, is open today from 10am to 5pm.

Wisley, Surrey, is showing part of the national collection of narcissus or daffodils. The exhibit shows the work of many outstanding daffodil breeders from the past and present, and illustrates how the daffodil has improved over the years. One of the oldest on display is "White Lady", pre-1897; one of the newest is "Ballyrobert", a deep yellow trumpet daffodil introduced in 1991.

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Anna Ware, of Dorchester, Dorset, has won the Walter Bunt Trophy for nine blues in the RHS tulip competition.

In the Royal National Rose Society's spring competition, Mrs Genta Gray, of Little Barrow, Norfolk, has won the prize for best specimen bloom with large-flowered "Sunderland Supreme".

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Forthcoming marriages

Mr R.H. Annan and Miss L.C. Barlow. The engagement is announced between Richard Heath, son of Mr John Douglas Annan, of Zimbabwe, and of Mrs Patricia Holroyd, of South Africa, and Imogen Clara, daughter of Mr and Mrs Stephen Barlow, of Skebich, Pembrokeshire.

Mr B.J. Atkinson and Miss D.M. Chapman. The engagement is announced between Benjamin John, elder son of Mr and Mrs John Atkinson, of Haddon, Lincolnshire, and Deborah Mary, elder daughter of Mr and Mrs Philip Chapman, of Billingham, Lincolnshire.

Mr J.N. Evans Lombe and Miss R.L. Marshall. The engagement is announced between James-Nicholas, elder son of Mr and Mrs Peter Evans Lombe, of Roydon, Norfolk, and Lucy, elder daughter of Mr and Mrs David Marshall, of Shutey Bridge, Northumberland.

Mr S.J. Goaman and Miss L.C. Nutley. The engagement is announced between Simon, elder son of Mr and Mrs John Goaman, of Elmson Farm, Harland, Devon, and Lucy, younger daughter of Mr and Mrs Michael Nutley, of Burnham, Buckinghamshire.

Mr F.C. Hawkins-Bass and Mrs L.E. Milburn. The engagement is announced between Frederick, son of Mr John Hawkins-Bass, of East Peckham, Kent, and Mrs Julie Hawkins-Bass, of St Mary Bourne, Hampshire, and Louise, daughter of Mr Derek Richards and the late Mrs Richards, of Home, Suffolk.

Mr J.E.S. Hickman and Miss A.L. Aves. The engagement is announced between Edward, son of Mr Jeremy Hickman, of the Upper Omby, Shropshire, and Mr Rosemary Hickman, of Saddleford, Herefordshire, and Alexandra, daughter of Mr and Mrs Edward Aves, of Putney, London.

Mr J.W.D. Hobro and Miss C.E. Roberts. The engagement is announced between James William Douglas, only son of Mr André Hobro and Mrs Elisabeth Hobro, both of Coventry, and Clara Emma, younger daughter of Mr and Mrs Alan Roberts, of Cheltenham.

The Rev M.M. Miller and Miss L.M. Hargreaves. The engagement is announced between Martin, younger son of Mr David Miller, of Johannesburg, South Africa, and Susan Joan Rhys-James, of Worthing, Sussex, and Lucy, younger daughter of Mr and Mrs Richard Hargreaves, of Canterbury, Kent.

Mr J.J. Hiseck and Miss S.C. Baird. The marriage took place on Saturday, April 24, 1999, at St Mary Magdalene, Stoke Bishop, Bristol, of Mr Ian Hiseck, of Bristol, and Mrs Barry Hiseck, of Broadstone, Poole, to Miss Susan Baird, daughter of Mr and Mrs Roger Baird, of Stoke Bishop, Bristol.

The bride, who was given in marriage by her father, was attended by Liz Adams and Frankie Sears. Mr Matthew Jones was best man. A reception was held at the home of the bride and the honeymoon is being spent abroad.

Mr A.D. Tarr and Miss V.S.M. Smith. The marriage took place on Saturday, April 24, 1999, at All Saints Church, Fulham, of Mr Andrew Tarr, of Fulham, and Miss Vanessa Smith. A reception was held at the Duke of York's Barracks, King's Road.

Lord Denning, OM

A service of thanksgiving for the life and work of Lord Denning will be held in Westminster Abbey at 6pm on Thursday, June 17. Those wishing to attend are asked to apply in writing, enclosing a stamped addressed envelope, to: The Assistant Secretary General (Protocol), Room 17, The Chapter Office, 20 Dean's Yard, Westminster Abbey, London, SW1P 3PA. Tickets will be posted by June 3. All are welcome to apply for tickets. There will be a retiring collection for the benefit of the Denning Fund which assists in funding the training of barristers. Those unable to attend may wish to make a donation to The Appeals Secretary, The Denning Fund, Lincoln's Inn, London, WC2A 3TL.

Sir Robin Dent, KCVO

A service of thanksgiving for the life of Sir Robin Dent will be held at St Luke's Church, Sydney Street, SW3, at noon on Thursday, May 20.

George Ross Goobey

A memorial service to celebrate the life of George Henry Ross Goobey will be held on May 30, 1999, at St Lawrence, Jersey-near-Guildhall, London, EC2A, at 11.30am.

Birthdays today

Lady Helen Taylor celebrates her 85th birthday today. Mr P.T. Bauman, executive chairman, Robert Fleming Asset Management, 35, Mr Ian Bear, former Head Master, Harrow School, 68; Professor Hugh Benall, cardiac surgeon, 79; Mr Edward Bonnor-Maurice, former chairman, British Hurdle Society, 71; Mr Mike Bratley, cricketer and psychologist, 57; Baroness Carmichael, 74; Sir Ivor Cohen, former chairman, Remploy, 68; Mr A.J. Colvin, Comptroller and City Solicitor, Corporation of London, 52; Commandant Elizabeth, 58; Mr William Mould, former director, WKS, 72; Mr Duane Eddy, guitarist, 61; Mr Tony Ford, director, Crafts Council, 61; Dr Kenneth Kaunda, former President of Zambia,

OBITUARIES

AIR COMMODORE
J. M. N. PIKE

Air Commodore J. M. N. Pike, CB, DSO, DFC, wartime bomber and Coastal Command pilot, died on March 23 aged 83. He was born on February 8, 1916.

In a wartime career during which he flew 189 operational sorties, Air Commodore Pike was almost from first to last. His war took him from North Sea reconnaissance, back to Britain to try to counter the threat from the battleships *Scharnhorst* and *Gneisenau* and south again to protect Malta convoys, before he was finally posted to the Azores where he flew antisubmarine sorties during the Battle of the Atlantic. The aircraft he flew ranged from Sunderland reconnaissance flying boats through ground attack Beaufighters to Flying Fortresses.

James Maitland Nicholson Pike was educated at Stowe and then taught for a year at a preparatory school before going to Cranwell, where he won both the Sword of Honour and the King's Medal. At the outbreak of war he was in Coastal Command, patrolling the North Sea in Ansons, but by the autumn of 1940 he found himself flying Blenheim bombers in support of British forces grappling with the Italians in British Somaliland.

In February 1941 he had a close shave when, after destroying a fighter and three bombers on the ground in two low-level attacks on an airfield in Ethiopia, he was assailed by a fighter which had survived his first bombing run

and taken off in pursuit. His aircraft was severely damaged by the fighter's machineguns, but he managed to limp back to his base at Aden on one engine and make a belly-landing, without injury to his crew. For this he won his DFC.

Back in England, he was appointed a flight commander in 236 (Bomber) Squadron. One of his tasks was reconnaissance of Brest harbour where the German battleships *Scharnhorst* and *Gneisenau* were sheltering under heavy flak defences. When he returned to base with a detailed account of the disposition of the ships and harbour defences he was rebuffed for not having attacked a flak ship which had opened fire on him. Pike protested that he had been sent to bring back intelligence, not to risk his aircraft and crew in duels with heavily armed opponents.

Nevertheless, to oblige the fiery spirit of his armchair superiors, on a second visit to Brest he did take on the flak ship, raking it with his four

20mm cannon but getting badly shot up himself in the process — only to be rebuffed by another senior officer for needlessly risking his aircraft.

In Malta in 1942, Pike was engaged in protecting convoys and attacking German shipping. He also led a series of devastating attacks on the Italian Air Force on the ground at its bases in Sardinia. On one occasion he led a four-aircraft section which destroyed 30 enemy planes in a single sortie. This earned him the DSO. He ended the war in command of 220 Squadron, flying American B17 Flying Fortresses on antisubmarine patrols from bases made available by the Portuguese in the Azores. He was mentioned in dispatches three times.

Among his postwar appointments was a period as commanding officer of RAF Kuala Lumpur at the time of the communist insurrection in Malaya. This won him a fourth mention in dispatches. He went on to be one of the two directors of intelligence at the Ministry of Defence and then Director of Security (RAF) in 1964.

After retiring from the RAF in 1969 he joined Naval Intelligence, where he worked for nine years. Pike was a keen yachtsman and a fine game shot and fisherman.

His marriage in 1942 to Betty Dell was dissolved. In 1955 he married Paula Helard, who died in 1971. He married, thirdly, Dorothy Dawson, who died in 1994. He is survived by a daughter of his first marriage and by a son of his second.



PROFESSOR DAVID DAUBE

Professor David Daube, biblical and legal scholar, died on February 24 aged 90. He was born on February 8, 1909.

DAVID DAUBE'S 65th birthday was honoured by three Festivals, respectively by Roman lawyers, Jewish and Oriental lawyers, and New Testament scholars, reflecting the wide scope of his work.

David Daube was born in Freiburg im Breisgau in Germany, where he went to school and at university took up the study of legal history. He came to England as a Jewish refugee and obtained a position at Cambridge, where in 1935 he was elected a fellow of Gonville and Caius College. During the war he served on committees working for the evacuation of schools and hospitals, and with the return of peace, he became a university lecturer in Roman law.

Always interested in biblical studies, he was attracted by the Cambridge tradition of cooperation between Jews and Christians in the study of Christian origins. His contributions to the New Testament seminar run by Professor J. H. Dodd were erudite, sub-

tle and illuminating, as time and again he persuasively questioned old assumptions. In 1947 he published his *Studies in Biblical Law*.

In 1951 he became the first Professor of Jurisprudence at Aberdeen, where the breadth of his scholarship, his enthusiasm and the gaiety of his personality gained him immense popularity. In 1955 he became Regius Professor of Civil Law at Oxford, where he made a considerable impact on undergraduates, his witty allusions and calculated indiscretions being somehow enhanced by his unusual accent.

In 1970 he moved to the School of Law at the University of California at Berkeley, becoming curator of the Robbins Collection in Jewish and Roman Law. In his years there he became a well-loved figure, and he is remembered by hundreds as the charming eccentric foreign gentleman who strode alone each dawn and dusk, hands clasped behind him and head down, through two miles of the least gentle streets of San Francisco to and from the Berkeley bus; who befriended the student insurgents during the days of the Free Speech Movement

and then spent hours in the espresso houses talking and playing chess with students or sitting alone scribbling in a dog-eared notebook.

So great was his appeal to the young that his lectures in Roman law — a subject that had long fallen into desuetude in America — were filled to capacity, and so immediate was his warmth to all that admiring waiters and waitresses periodically fished him with parties of ice-cream and sweets. During these turbulent years in Berkeley, he turned to themes of contemporary import, as in *Civil Disobedience in Antiquity* (1972) and his articles on such subjects as "Biblical Landmarks in the Struggle for Women's Rights".

His output was enormous, but sadly dispersed through periodicals and Festschriften. Invitations to lecture on biblical studies, however, made him organise his material more effectively in, for instance, *The New Testament and Rabbinic Judaism* (1956). He was elected a Fellow of the British Academy in 1957.

He is survived by his second wife, Helen Smelser, whom he married in 1966, and by three sons from an earlier marriage.

PERSONAL COLUMN

DEATHS

PHILLIPS - Dr. William aged 78 peacefully on April 26th 1999 at Boverly Community Hospital, East Yorkshire. Loving husband of Anna, much loved father and grandfather. Service at Boverly Minister, Friday 30th April at 1.30pm, prior to private cremation. Family flowers only please but donations for Hull Macmillan Nurse Appeal, Kingston General Hospital, Beverley Road, Hull, would be appreciated.

ROGERS - Joan Marion, aged 79, died peacefully in her sleep in the early morning of Sunday 22nd April. Funeral at Golders Green Crematorium at 3.15 pm on Friday 30th April.

SCOTT - Charlotte Kathleen of Bexley-on-Thames. Very much loved mother of Richard, Lady and Jane, mother-in-law of Treedy, Rocky and Bill, unique grandmother of Joanne, Emily, Alex, Phoebe, Katherine, Charlotte, Beth, Florence, Thomas and Isabelle. Died peacefully on the night of April 25th, aged 79. Funeral at All Saints, Bexley at 2.30 pm, followed by private cremation. Family flowers only please in lieu please to The Samaritans c/o Bexley Funeral Service, West Street, Marton, Bexley, Kent SE23 3JL.

SAYTHE - Elton on April 21st 1999. Funeral Service at St Joseph's Church, New Malden, Friday April 30th at 10 am, followed by interment at North Sheen Cemetery at 12 noon. Donations only to Royal Air Force Association c/o F.W. Paine, 28 Central Road, Worcester Park, KT4 8BZ, tel: 0181

MEMORIAL SERVICES

BISHOP - Sir George Bishop. A reception in memory of the late Sir George Bishop will be held at The Royal Geographical Society, London SW7 2AR on Thursday 27th May 1999 from 3.00pm to 5.30pm. Anyone wishing to make a donation in his memory to encourage travel and exploration by young people should send a cheque payable to The Royal Geographical Society at the above address, marking the envelope "George Bishop Fund".

IN MEMORIAM - PRIVATE

DEAR - Dennis Mansfield. Many happy memories of a greatly loved husband and father, from Peggy, Geoffrey and Anne.

TAYLOR - Peter Murray died 28th April 1997. Deeply loved, sadly missed. Jacqueline.

WANTED

TICKETS FOR SALE

ALL ABOARD, Southampton, Spain, 1st Class, 2nd Class, 3rd Class, 4th Class, 5th Class, 6th Class, 7th Class, 8th Class, 9th Class, 10th Class, 11th Class, 12th Class, 13th Class, 14th Class, 15th Class, 16th Class, 17th Class, 18th Class, 19th Class, 20th Class, 21st Class, 22nd Class, 23rd Class, 24th Class, 25th Class, 26th Class, 27th Class, 28th Class, 29th Class, 30th Class, 31st Class, 32nd Class, 33rd Class, 34th Class, 35th Class, 36th Class, 37th Class, 38th Class, 39th Class, 40th Class, 41st Class, 42nd Class, 43rd Class, 44th Class, 45th Class, 46th Class, 47th Class, 48th Class, 49th Class, 50th Class, 51st Class, 52nd Class, 53rd Class, 54th Class, 55th Class, 56th Class, 57th Class, 58th Class, 59th Class, 60th Class, 61st Class, 62nd Class, 63rd Class, 64th Class, 65th Class, 66th Class, 67th Class, 68th Class, 69th Class, 70th Class, 71st Class, 72nd Class, 73rd Class, 74th Class, 75th Class, 76th Class, 77th Class, 78th Class, 79th Class, 80th Class, 81st Class, 82nd 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Not one
for the
feminists

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BUSINESS • ARTS • HOMES • SPORT • TELEVISION

THE TIMES

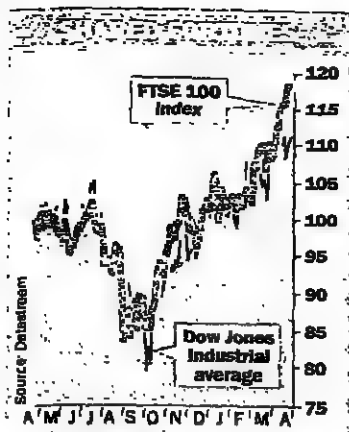


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BUSINESS EDITOR Patience Wheatcroft

WEDNESDAY APRIL 28 1999

Wall Street helps UK shares to record high



BY ALASDAIR MURRAY
ECONOMICS CORRESPONDENT

THE STOCK MARKET scored its fifth record close of the month yesterday buoyed by yet another strong performance on Wall Street.

The Dow Jones industrial average stood up about 80 points by lunchtime in New York after better than expected quarterly results from AT&T, the telecoms giant.

There was particular concern that the trade deficit with EU countries in February ballooned to its largest levels since July 1990. Over the three months to February exports to EU countries fell by 3 per cent while those to non-EU countries were down 4 per cent on a quarterly comparison.

The separate Confederation of British Industry April industrial trends survey offered fresh evidence of a gentle recovery in the sector although manufacturers are shedding jobs at the fastest rate for six years.

Confidence reached its highest levels in more than a year while order books declined at their slowest rate since last July. The export position also showed signs of improving although confidence in export orders over the next four months has slipped back again because of the latest rise in the pound.

BSkyB chief quits to head Net venture

BY RAYMOND SNOODY, MEDIA EDITOR

MARK BOOTH, the chief executive of British Sky Broadcasting, unexpectedly announced yesterday that he is to leave the satellite broadcaster.

The surprise decision comes less than two years after Mr Booth was chosen as the successor to Sam Chisholm and a little more than six months after the successful launch of the Sky Digital service.

Mr Booth's move was triggered by an offer from Microsoft, the world's largest software company, to head all its Internet businesses.

Mr Booth, who first came to the UK to run MTV Europe, was offered share options that could eventually be worth \$100 million to join Microsoft.

Jerome Seydoux, chairman of BSkyB, which is 40 per cent owned by News Corp, the ultimate parent company of The Times, told Mr Booth he could not stand in the way of such an offer.

Hearing of Mr Booth's intention to move, Rupert Murdoch, chairman and chief executive of News Corp began negotiations to attract Mr Booth to join News Corp, which has been looking for ways to increase its Internet presence in recent months.

Yesterday BSkyB said that Mr Murdoch asked for and was given permission by M Seydoux to offer Mr Booth the newly created News Corp position.

The new company will have a \$300 million capital base, which will be used to invest in new media opportunities, including the Internet, interactive television and wireless communication.

The funding of ePartners is the most significant move by News Corp so far in the area of the Internet and e-commerce. So far, electronic investments have been largely defensive and designed to protect existing mass media products.

Mr Booth, it is believed, will hold a 10 per cent stake in ePartners, which will have its headquarters in London and offices on the West Coast of the US. One strategy of the new company will be to try to link up with US new media companies that have yet to expand outside the US and handle their international operations.

BSkyB said that Mr Booth's successor would come from outside BSkyB, which rules out Mr Murdoch's daughter, Elisabeth Murdoch, managing director of BSkyB Networks. It would also rule out David Chance, Mr Chisholm's former deputy, who is still a non-executive director of the satellite broadcaster.

It is believed that Mr Booth's likely successor could come from News Corp. Two possible candidates being suggested last night were David Hill, the chairman and chief executive of Fox Broadcasting, and Tony Ball, president and chief executive of Fox/Liberty Networks. Both have previously worked at Sky.

Mr Booth described yesterday as "a bitter sweet day", adding: "I am sorry to leave but excited by the new opportunity. If I had time to do both jobs I would."

The BSkyB chief executive recently suffered a setback when Stephen Byers, Trade and Industry Secretary, blocked BSkyB's plan to buy Manchester United.

Francisco Lopes is under investigation over claims that two private banks were tipped off about the Government's plans to devalue the Brazilian currency, the real, in January.

Salvatore Cacciola — owner of Banco Mar, which has been implicated in the scandal — has apparently admitted he had a paid informant at the central bank who helped the banks to make huge profits purchasing US dollars at highly favourable rates.

A police raid on Senator Lopes's home has also turned up documents showing he had deposited \$1.6 million in an overseas bank account using someone else's name.

Only hours before Senator Lopes's arrest, Pedro Mar, the Finance Minister, had declared an official end to the financial crisis, which had threatened to plunge the country into a full-scale recession.

The Brazilian stock market yesterday followed up Monday's 2 per cent slide with further losses. The real also slipped back to 1.72 to the dollar, although it remains well off the record lows set in the weeks immediately after the devaluation.

Analysts are worried that Senator Lopes's refusal to testify may be an attempt to hide a more far-reaching corruption scandal involving senior members of the Government.

CANAL+ A GAME OF TWO HALVES

News Corp takes Italian stake

BY JASON NISSE

THE NEWS CORPORATION yesterday gained a foothold in the Italian pay-television market and simultaneously became embroiled in the battle for Telecom Italia when it struck a deal for the media rights of four Serie A football clubs.

News Corp has agreed to buy a 35 per cent stake in Stream, the loss-making digital television operator set up by Telecom Italia. Cecchi Gori, the Italian media group, will take an 18 per cent stake while another 12 per cent stake is being sold to Societa' Diritti Sportivi, a company set up by four top Italian football clubs — Roma, Lazio, Parma and Fiorentina — to market their media rights.

The four clubs have also agreed a deal, said to be worth more than 1 trillion lire (£340 million), to sell their pay-television broadcasting rights for the next six seasons to Stream.

Olivetti, the computer group, which has said it will table a £40 billion bid for Telecom Italia later this month, said the sale of Stream was aimed at obstructing its bid. Telecom Italia formally rejected the Olivetti offer last night.

having agreed to merge with Deutsche Telekom last week. The decision by News Corp and the football clubs to buy into Stream follows the deal struck last year by Telepiu, the Italian digital television service owned by Canal Plus, the French media group. It signed up the pay-television rights of some of the leading clubs including Juventus, AC Milan, Internazionale and Napoli for five years, paying about £750 million.

No figures were revealed for the Stream deal yesterday. However, Telecom has said that up to 1.2 trillion needs to be invested in the digital service to enable it to compete with Telepiu.

Earlier this year talks between News Corp and Telecom Italia, which would have led to News Corp buying an 80 per cent stake in Stream, broke down after intervention by the Italian Government.

Yesterday's deal, however, appears to have been given the green light by Vincenzo Vita, Italy's Communications Under Secretary yesterday.

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Outsider to take chair at the Halifax

BY SUSAN EMMETT

SIR DENNIS STEVENSON emerged yesterday as the surprise choice as the next chairman of Halifax, the former building society-turned bank.

Sir Dennis, chairman of media group Pearson, will succeed Jon Foulds, 66, who announced he will retire in July. Sir Dennis is not currently on the Halifax board.

This is the first time the Halifax has recruited a chairman from outside the company. Existing non-executive directors include Louis Sherwood, Lord Chadlington and Prue Leith.

Said Mr Foulds: His track record as a doer and a strategic thinker is outstanding and I am happy to leave the Halifax in such capable hands."

A spokesman for the Halifax said: "That he's not Halifax born and bred isn't a problem because the business is changing so fast. It's more relevant that he has experience of a big company."

The retirement of Mr Foulds is announced just four months after Mike Blackburn stood down as chief executive, removing the two men who led the merger of the Halifax with the Leeds Permanent building society and its subsequent stock market flotation.

Sir Dennis is 53. At yesterday's annual meeting in Harrogate the Halifax confirmed it would go ahead with changes to its share structure despite strong protests from a significant number of private investors.

Under plans announced in February, the bank will return £1.5 billion to 3.6 million shareholders in early June. Investors will receive 37 new shares for every 40 old shares and 62p in cash for each share they own on May 28, the last business day before the scheme is introduced.

Halifax shares have risen steeply since the proposals were made. At the time of the announcement, the shares stood at around 780p. Yesterday they fell 65p to 995p.

Business Today

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Unit trusts: 31



Pensions time bomb

Labour could end up paying for the rest of Europe

STOCK MARKET INDICES

FTSE 100 6593.6 (+90.0)
Dow Jones 9077.58 (+58.59)
S&P Composite 1359.40 (+0.64)

US RATE

Federal Funds 4.75% (4.75%)
Long bond 5.55% (5.55%)
Yield 5.55% (5.55%)

LONDON MONEY

3-month interbank 5.75% (5.75%)
Libor 116.46 (116.46)
Sterling 1.6182 (1.6120)

STERLING

New York \$ 1.6182 (1.6120)
London £ 1.6163 (1.6129)
€ 1.5178 (1.5212)
Sfr 2.4365 (2.4383)
¥ 194.28 (193.96)
\$ Index 104.1 (104.2)

DOLLAR

London 1.0650 (1.0690)
Sfr 1.5085 (1.5143)
¥ 190.88 (191.19)
\$ Index 104.1 (104.2)

TOKYO

London 1.0650 (1.0690)
Sfr 1.5085 (1.5143)
¥ 190.88 (191.19)
\$ Index 104.1 (104.2)

NORTH SEA OIL

Brent 15-day (May) \$12.55 (\$12.55)
GOLD
London close \$282.15 (\$281.15)
* denotes midday trading prices
Exchange rates Page 25

THE TIMES MONEY

Egg hatches plan to Net customers

EGG, the direct banking arm of Prudential, plans to attract two million Internet customers over the next five years, Mike Harris, chief executive, said yesterday (Paula Hawkins writes).

From today, Egg will only accept savings account applications sent over the Net, although existing customers will still be able to complete transactions and open accounts by telephone or post. When the bank introduces individual savings accounts (ISAs) at the end of this year, it is likely that these will be sold online only.

Egg has already hit its first five-year target, set just seven months ago, attracting £5 billion in savings and 500,000 customers.

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Kingfisher casts Net over France for free

By FRASER NELSON

KINGFISHER, the retail group, has joined forces with Bernard Arnault, the French billionaire, to set up a continental rival to Dixons's FreeServe by offering free Internet access to everyone in France.

Libertysurf will be an almost exact replica of FreeServe and rolled out through Darty, Kingfisher's French electrical retail chain.

It will be 40 per cent owned by Kingfisher and 40 per cent owned by Group Arnault, the private company through which M. Arnault controls LVMH. The remaining 20 per cent will be offered to the third party who will be hired to provide management and technical support for the venture. Libertysurf will keep all revenue generated from on-line advertising and take a cut on anything bought through its service.

The takeover battle between M. Arnault's LVMH and Gucci was stalled again yesterday when the results of the latest round in their legal battle was postponed until May 27. The courts have ordered Gucci not to spend any of the \$2.9 billion it has received from rival suit- or François Pinault paid in return for a specially created 40 per cent stake.

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EXCHANGE RATES

	Bank Buy	Bank Sell
Australia \$	1.59	2.41
Austria Sch	21.89	20.23
Belgium F	64.43	59.47
Canada \$	2.53	2.37
Cyprus Cyp £	0.9211	0.8496
Denmark Kr	13.88	10.99
Egypt £	5.72	5.11
Finland Mk	9.58	8.83
France F	10.43	9.85
Germany DM	3.133	2.981
Greece Dr	320	481
Hong Kong \$	13.2	12.1
Iceland	130	130
Indonesia	17494	12492
Ireland P	12.94	11.610
Israel Sh	7.01	6.35
Italy Lira	3115	2878
Japan Yen	208.71	191.18
Malta	0.683	0.624
Netherlands Gld	3.538	3.241
New Zealand \$	3.09	2.85
Norway Kr	13.18	12.24
Portugal Esc	316.83	284.82
S Africa Rd	10.44	9.48
Spain Ptas	204.07	243.28
Sweden Kr	14.32	13.22
Switzerland F	2.590	2.372
Turkey Lira	644.363	601.534
USA \$	1.722	1.579

Notes: For small denominations, banks only as supplied by Barclays Bank. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

Prudential's Egg seeks two million Internet customers

By PAULA HAWKINS

EGG, the direct banking arm of Prudential, seeks to attract two million Internet customers within the next five years. Mike Harris, chief executive of Egg, said yesterday: "This is an ambitious target, but in an e-commerce world, things can happen faster than you expect."

From today, Egg will only accept savings account applications sent over the Internet, although existing customers will still be able to complete trans-

actions and open accounts by telephone or post.

When the bank introduces individual savings accounts (Isas) at the end of this year, it is likely that these will also be sold online only. Mr Harris admits that this means cutting Egg off from the 30 million customers who are not yet online, but says that Internet use is growing sufficiently quickly to justify the move.

Egg has already hit its first five-year target, set just seven months ago, attracting £5 billion in savings and 500,000

customers by offering high rates of interest on its savings accounts.

The savings rate is guaranteed to remain at the base rate plus 0.5 percentage points this year, and will not fall below base rate until at least 2001. The bank's "current intention" is to continue to guarantee rates after 2001, with the aim of breaking even on the savings side of the business. According to Egg's main competitors, the building societies, these rates are not sustainable in the long term.

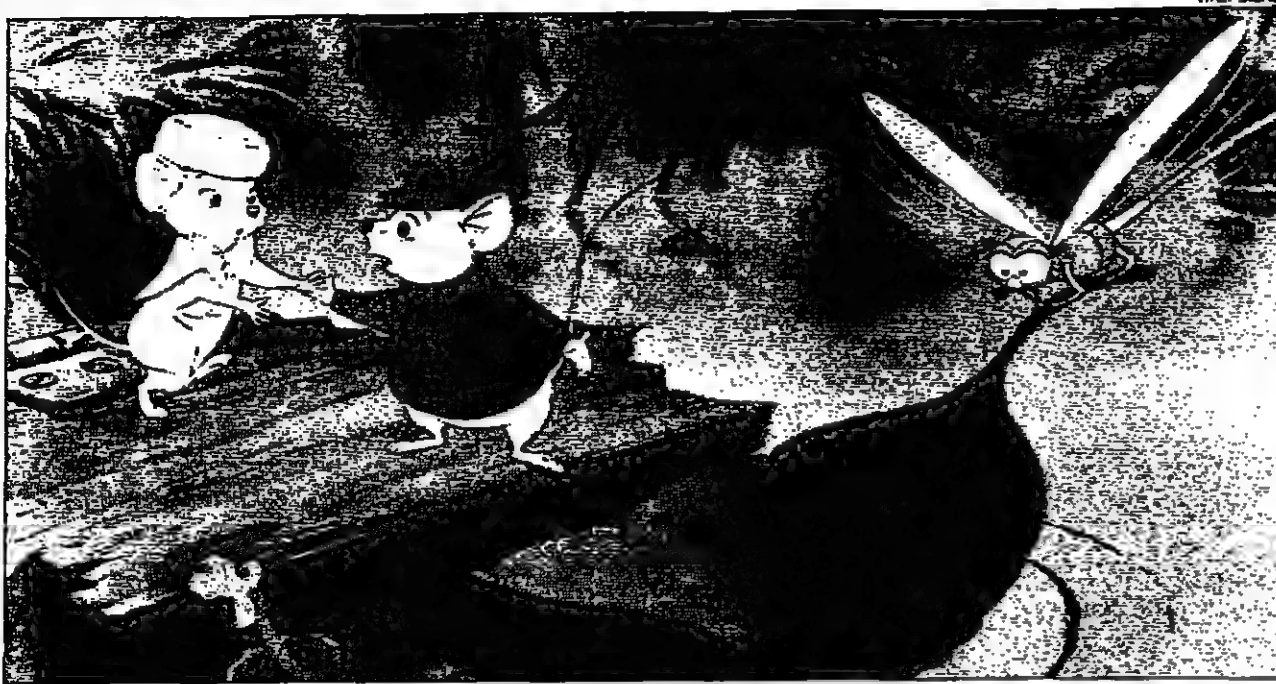
However, the move to an Internet-based service will cut costs dramatically. "No one has understood how we could keep savings rates high, but now the story is beginning to unfold," Mr Harris said. "Costs [of Internet banking] can be as much as four times lower than telephone transactions and ten times lower than high street branches."

Mr Harris pointed out that if Egg continued to offer savings accounts over the phone, it would have to build another call centre.

UNITY Trust Bank, the bank set up by trade unions, is to start an Internet banking service late this year. The service is aimed not at the public but at smaller charities, community organisations and trade union branches. Yesterday Sir Dennis Landau, chairman, said the bank earned pre-tax profits of £2.04 million in 1998.

LINKS

WEBSITE: www.egg.com



Disappointing returns from video releases such as *The Rescuers* were blamed by Disney for profits down 30 per cent

Disney's profits dismay

FROM ADAM JONES
IN NEW YORK

A DISMAL week for Disney continued when the entertainment conglomerate, already fighting an ugly \$250 million (£155 million) lawsuit brought by Jeffrey Katzenberg, revealed yesterday that its latest profits were 30 per cent down on last year.

Disney said that second-quarter net profits were \$269 million, excluding the purchase of a stake in Infoseek, the Internet search company, last year. Sales increased 5 per cent to \$5.5 billion.

One of the main reasons for the profits decline was that the 1999 video releases, such as *Mulan* and *The Rescuers*, did not perform as well as expected.

Costs at ABC, its television network, also increased. Michael Eisner, the chairman and chief executive, said the results were "disappointing". Mr Eisner is one of the key players in the court case unfolding in Los Angeles. Mr Katzenberg, the former head of its film studio, claims he is owed 2 per cent of all Disney profits from his ten-year tenure.

Mr Katzenberg's legal team is claiming that Mr Eisner was part of a conspiracy to deny him this bonus after Mr Katzenberg left in 1994. While it admits that Mr Katzenberg is owed some money, Disney fiercely denies that it practised any deceit.

Time bomb, page 29

OFT to scrutinise BAe Marconi deal

THE Office of Fair Trading will today begin scrutinising its most politically sensitive takeover after British Aerospace yesterday signed the definitive agreement to buy GEC's defence electronics businesses for £7 billion (Carl Mortimer writes).

The OFT will be under pressure to demand divestments and undertakings from BAe if it does not refer the deal to the Competition Commission. Estimates of the merged group's commercial clout give BAe/

Marconi a potential 70 per cent share of the UK's £9 billion per year defence budget.

Defence industry experts doubt the OFT will refer the transaction to the Competition Commission despite fears that the vertical integration of BAe's aircraft with GEC's defence electronics has eliminated the only significant competitor to BAe as a prime contractor in Britain. Overseas firms such as DASA and Thomson-CSF, will lobby for divestments in the area of avionics and optonics.

Darling looks at pension tax law

THE Government is considering making wholesale changes to pension tax law in a bid to ensure that stakeholder schemes get off the ground in two years' time (Gavin Lumsden writes).

Alistair Darling, social security secretary, has revealed that the Government may yet allow people to hold stakeholder pensions and occupational pensions. This would require a great deal of effort to iron out the complex rules and regula-

tions that surround the various pension schemes that now exist. However, he has insisted that the Government will do nothing to undermine company pension schemes.

Mr Darling is preparing to embark on a second round of consultation on stakeholder pensions after a first phase generated an overwhelming response from employers' organisations and financial services providers.

Time bomb, page 29

BUSINESS ROUNDUP

Sharp rise in AT&T first-quarter profits

AT&T, the US telecoms company that is forging an alliance with BT, reported a 39 per cent rise in first-quarter profits to \$1.7 billion (£1 billion). It also announced a partnership with Japan's Nippon Telegraph and Telephone to provide data services for large corporations. The NTT pact followed a move on Sunday by AT&T and BT to buy a 30 per cent stake in Japan Telecom for about \$1.8 billion.

AT&T last week made a \$58 billion bid to acquire MediaOne Group, the cable TV company, topping MediaOne's existing \$48 billion agreement to be bought by Comcast. Including exceptional items AT&T's net income fell to \$1.1 billion (\$1.3 billion). Revenues, excluding its recent acquisition of cable television company Tele-Communications, increased 6.1 per cent to \$13.6 billion (\$12.8 billion). Including TCI, revenues rose 9.9 per cent to \$14.096 billion.

Home loans boosted

THE housing market is more buoyant than last year, thanks to the Bank of England's recent rate cuts. Northern Rock chairman Robert Dickinson said yesterday. He told Northern Rock's annual meeting that the cuts had led to a jump in people wanting home loans. Northern Rock cut its standard variable mortgage rate by 0.1 percentage points to 6.95 per cent on April 12. Northern Rock shares rose 10p to 590p.

Statoil appoints chief

THE Norwegian Government has appointed a new chairman of Statoil, following this week's dismissal of the entire board of the state oil company. Anne Enger Lahnstein, Oil and Energy Minister, has appointed a lawyer, Ole Lund, as chairman and new board at Statoil after the company was castigated over massive cost overruns in the development of the Asgard field in the North Sea.

Jarvis Porter cautious

JARVIS PORTER, the label printing and packaging company, yesterday said that trading conditions remain difficult. Profits before £7.1 million of exceptional charges including the £700,000 pay-off of Richard Brewster, its former chief executive, came in at £5 million for the year to February 28, 1999, against £14 million last time. The final dividend was cut to 1.25p (5.3p) giving a total payout for the year of 3.75p (7.8p).

Admen's £124m order

J WALTER THOMPSON, the advertising agency owned by WPP, yesterday announced a \$200 million (£124 million) worldwide advertising account from UDF for its Smirnoff, Baileys and Malibu brands. The win came as WPP announced that net new billings had risen to £447 million in the first quarter, compared with £403 million the previous year. WPP shares rose 6 1/2p to 566 1/2p.

CrestCo's £4m rebate

CRESTCO, the operator behind the Stock Exchange's settlement system, yesterday announced a £4 million rebate for subscribers after unveiling a 78 per cent leap in pre-tax profits last year to £15.1 million. The rise was partly a result of a 25 per cent increase in turnover to £52 million and has enabled CrestCo to reduce its transaction charge by 9p to 51p. It also means the company can begin to build its reserves.

Alexandra looks abroad

ALEXANDRA, the workwear supplier, is looking to increase the proportion of clothes it sources from foreign producers in an attempt to increase margins, it said yesterday. The group's pre-tax profits for the year to January 31 rose 22 per cent to £7.1 million on turnover slightly down at £64.2 million (£66 million). The final dividend is 5.1p, for a total of 7.6p, compared with 7p.

Staveley reveals loss

STAVELEY INDUSTRIES, the salt supplier and industrial services group, yesterday said that exceptional charges for the last financial year will come in at £22 million, £3 million more than forecast. The company said this would mean a pre-tax loss of £6 million (£7.4 million loss) for the year to March 31. The shares, which have been falling over the past two years, hit a new low of 63 1/2p, off 3 1/2p on the day. Tempus, page 28

MSB reorganises

MSB INTERNATIONAL, the IT staffing business whose shares slumped almost 90 per cent from a high of £10.47 1/2 last year, yesterday said that a repositioning of its business will cost nearly £3.5 million. The company reported pre-tax profits for the year to January 31 up 28 per cent to £11.6 million on sales up 49 per cent to £191.3 million. The final dividend of 8.3p (6p) brings the total to 12.5p. The shares rose 4p to 217 1/2p.

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Cabinet enforcer to assess regulations

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

JACK CUNNINGHAM, the Minister for the Cabinet Office, is to force colleagues across Whitehall to consult him before taking policy initiatives which have a regulatory impact on business.

Speaking last night, Dr Cunningham, the so-called Cabinet enforcer, said that all government departments must now consult the Cabinet Office in advance of new policy pronouncements. In addition he said he would draft in business people to help to assess the repercussions of new policies on companies - particularly small businesses.

In a speech to the Social

Market Foundation, Dr Cunningham said: "These steps represent fundamentally important changes in the arrangements for regulatory control." The move comes after complaints about mounting regulation, especially the application of the European Working Time Directive and the minimum wage.

Dr Cunningham added: "We hear frequent criticisms from the Institute of Directors, the CBI, small business and others about regulation. But what we seldom hear is how we might respond to the public concerns that very often result in regulation."

Sales of music on song again

WORLDWIDE sales of music began to recover last year after a long period of turmoil, according to figures released yesterday by the IFPI, the music industry's global trade body (Chris Ayres writes).

Sales of music rose by 3 per cent to \$3.7 billion (£2.4 billion), helped by robust growth in the US, and a worldwide 6 per cent rise in compact disc sales. However, music sales in Asia were hit by economic turmoil, with sales throughout the region, excluding Japan, falling 30 per cent. CDs now represent 65 per cent of all albums sold, compared with 60 per cent in 1997, with cassette sales falling in every region during 1998.

The figures will come as relief to EMI, the British music group that has suffered as a result of sluggish worldwide music markets. EMI shares rose 15p to 52 1/2p yesterday.

NET PROFITS

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The French connection



COMMENTARY
by our City Editor

An identity crisis has hit Kingfisher. Just as the company is trying to engineer a merger with Asda, on the basis of their shared concentration on low prices, Sir Geoffrey Mulcahy forms a partnership to put Kingfisher alongside names such as Christian Dior and Moët & Chandon.

Perhaps Sir Geoff and Bernard Arnault have been flirting over the Worldwide Web for months and found that, beneath their apparent differences, they do have much in common. Perhaps the ordinary folk in France all covet the chic of a Givenchy gown while having to settle for a cut-price personal stereo from Darty. On both counts, however, there is room for doubt.

The undeniable fact is that in his home territory, Sir Geoff's long-term rival, Sir Stanley Kaim, has pulled off a stunning coup. Over the years, Dixons and Kingfisher have each failed to take over the other as their electrical chains have slugged it out on the high street. But Dixons's Freeserve has added billions to the value of the company in just a few months. Where is Comet's response? The answer is that it is coming soon, but in France, where it can emulate Dixons's claim to be first into the marketplace. And Kingfisher has been persuaded that M Arnault has

the Internet expertise to get Libertysurf up and running before that pioneering position is lost. For that expertise, Sir Geoff is sacrificing control of his new enterprise. Sir Stanley can bask in all the earnings that Freeserve may — or may not — yield: Kingfisher can look forward to just 40 per cent of the potential rewards.

The stock market was not in the mood to carp, awarding Kingfisher shares the Internet bounce yesterday. Yet deals involving the mercurial M Arnault are not always as they seem. His efforts to gain control of companies without paying the full price have now become a habit. Whether it be a vineyard or a fashion house, his tactics are not those that would endear him to the Takeover Panel.

Sir Geoff is not one to rush into deals. His procrastination has, on occasion, even lost him deals, most recently the Freemans mail order business. Maybe he has M Arnault's measure and will prove a match for his tactics. But they could be time-consuming.

There is no doubt that business-like Kingfisher need to be on the Web and that they will, in-

creasingly, be selling their wares without benefit of expensive high street stores. The Prudential's Egg gave a further pointer to the increasingly important role of the Internet yesterday, announcing that it will be the single route by which new Egg accounts may be opened. Libertysurf may prove to be a shoppers' paradise for those with eclectic tastes and fat wallets. But it looks hardly run up rather than couture.

Don't consign gold to the scrapheap

For all the wars, financial collapses and local hyperinflation, the dollar price of gold has fallen by a third in the past three years. Even when interest rates are historically low and the euro is shedding cents like a moulting canary, the metal

that held the world financial system together until the 1970s is as old-hat as a bowler hat.

No wonder a consensus is developing rapidly for the International Monetary Fund to sell gold from its 100 million ounce hoard to help to fund debt write-offs in the heavily indebted poor countries initiative. Britain and Japan have upped the proposed sale from five million to ten million ounces. That would still be worth \$2.8 billion and the implication is that more will be swapped for interest-bearing assets in future.

At one go, the slow process of debt relief will be accelerated and modernising monetary class warriors will strike another blow at the old enemy. Gold will be further demonetised and reduced to the status of a common commodity, like Brent crude, pork bellies or Chinese whole ginger futures. Only Germany among the

Group of Seven is now conservative enough to be worried. As Bundesbank influence fades, however, even Germany is coming to concede that the matter must be considered, even if agreement and action have been put off for six months, along with the much-criticised debt plan.

Germany says that its anxieties are only about the side-effects of IMF gold sales. The principle of debt relief is agreed, if not the method and scope. In any case, the IMF will need to husband its resources better if it is to turn the new emergency loan facility into reality and avoid a repeat of the domino Asian crash.

Surely, however, Germany is right to be cautious about debanking gold altogether. If Russia is ever to steady its economy, stabilise its currency, become creditworthy and a full member of the Group of Eight, it will only

do so by mobilising its gold production for use both as currency backing and debt collateral. Others will follow suit.

Gold will never rule the world again, but should play a bigger monetary role in the first decades of the new millennium than in the dying decades of the old.

Mirror may shine on its own

While the Competition Commission decides whether or not Regional Independent Media or Trinity should be allowed to take over Mirror Group, the market may intervene.

The ousting of David Montgomery was a messy business but, three months on, his successor, John Allwood, has settled into the role and Mirror is no longer looking quite so vulnerable. The share price has moved upwards to a level that might begin to make a contested bid tough for Trinity and almost impossible for unquoted RIM.

The market may be as good a

judge of what is right for Trinity as the renamed, but not restructured, former Monopolies Commission. The four-member panel charged with pronouncing on the proposed bids for Mirror has drawn up a list of the issues it believes to be relevant, including the ability of a regional newspaper company successfully to manage national newspapers.

Who will be determining the answer? Well, the panel is led by Denise Kingsmill, famed as a lawyer but less well-known as a non-executive director of struggling store group MFI. Industry expertise will be provided by one Professor Donald Treford, whose reign as editor and then chief executive of The Observer would hardly be categorised as a commercial triumph.

Balkan question

A SIGN of the times. The World Bank, reacting swiftly to events in the Balkans, has earmarked \$70 million in aid for Macedonia and Albania, the main states affected, to cope with the influx of half a million refugees. That is clearly a great deal of money. Indeed, it is nearly as much as Microsoft offered to Mark Booth, chief executive of BSkyB, as a golden hello to manage its Internet operations. Mr Booth has, however, received a more attractive offer closer to home.

Anti-age drug in tests

PHYTOPHARM, the company seeking to develop medicines from plants, thinks it may have stumbled on the secret of eternal youth (Paul Durman writes).

It is testing a compound that appears to reverse the ageing process, at least in the brains of aged rats. The discovery initially offers a possible treatment for Alzheimer's disease and age-related memory disorders.

Phytopharm is already talking to three multinational drug companies about P58, and, despite its potential value, plans to license it at an early stage.

Phytopharm reported interim losses reduced by a third to £1.4 million.

Acorn to vanish in break-up deal

BY CHRIS AYRES

ACORN, one of the best-known British computer brands of the 1980s, is to disappear from the stock market in a complex break-up deal worth nearly £270 million.

The deal will earn Morgan Stanley Dean Witter, the investment bank which orchestrated it, an estimated £45 million fee before costs.

Acorn's demise was precipitated by the enormous success of ARM Holdings, the microchip designer created and nurtured by Acorn, and floated separately on the stock market in April last year.

The value of ARM, which designs microchips for mobile phones and other electronic gadgets, has rocketed from just £264 million on flotation

to more than £1.3 billion today.

Before yesterday's deal was announced, Acorn's 24 per cent stake in ARM was worth £312 million, while Acorn's stock market value was just £225.5 million. Acorn, advised by Cleeve Brothers, decided that yesterday's break-up deal was the best way "to return value to shareholders".

The deal took the form of a £270 million takeover bid from Morgan Stanley, and will see Acorn shareholders receive two ARM shares for every five in Acorn. Morgan Stanley will be left with an estimated seven million ARM shares, worth about £45 million, plus the corporate shell of Acorn.

As part of yesterday's deal Acorn's set-top box business

will be sold to Pace Micro Technology for £200,000, while Stan Boland, Acorn's recently appointed chief executive, will buy Element 14 for about £1 million, with the help of other senior Acorn managers. Element 14 will take control of the Acorn brand, although there are no current plans for it to be used.

The only Acorn director with a significant interest in the business is Hermann Hauser. A trust of which Mr Hauser is "a potential beneficiary" will take a stake in ARM worth an estimated £8 million. Shares in Acorn rose 94p to 254½p yesterday, while shares in ARM fell 32½p to 665p.

Tempus, page 28

Primark in £20m store deal

PRIMARK, the fashion chain run by Associated British Foods, has agreed to buy ten of the Living department stores being closed by Co-operative Retail Services (CRS) (Fraser Nelson writes).

It is understood to have paid about £20 million. They are being bought from Miller Developments, the Scottish private construction company which on Monday paid £69 million for all 46 Living stores.

The move will raise hopes of about 350 of Living's 1,500 workers who are facing redundancy after the CRS decided to pull out of everything except groceries.

Primark, which is based in Dublin, runs 97 stores across the UK and Ireland with ten in the London area.

Diageo acts to sell Cinzano

BY DOMINIC WALSH

CINZANO, the vermouth famously split by Leonard Rossiter on Joan Collins's dress in a series of TV ads, has been put up for sale as part of a clear-out of non-core drinks brands by Diageo.

The food and drink group has appointed Warburg Dillon Read, the investment bank, to canvass interest in Cinzano together with three of its brandies — Metaxa of Greece, Asbach of Germany and Italy's Vecchia Romagna.

The four brands made a combined profit last year of £60 million and are valued by analysts at anywhere between £350 million and £500 million. Observers cited Canandaigua Brands, the US group that recently acquired Matthew Clark, and the recently formed joint venture between Highland Distillers and Rémy Cointreau as possible bidders.

Cinzano is by far the biggest of the four brands. Including its sparkling wine brand, it has total volumes of about 4.5 million cases compared with less than three million cases for the other three put together.

Diageo also announced yesterday that it had agreed to sell four ouzo brands to Campari for an undisclosed sum. The biggest of the four, with sales volumes of 500,000 cases, is Ouzo 12. It said the price was "not material".

Diageo's rationalisation of its European brands continues the clear-out initiated after its creation from the merger of Guinness and GrandMet. It recently sold several North American food and drink brands and this month hoisted a "for sale" sign over Cruzcampo, the Spanish brewer.

Prestwick shares suspended

SHARES in Prestwick Holdings, the troubled electronics company, were suspended yesterday on the London Stock Exchange pending clarification of its financial position (Matthew Barbour writes). A further announcement is expected tomorrow.

The group, which manufactures printed circuit boards, said a deterioration in trading conditions had led to "significant" cash-flow problems. The suspension at 13:45 follows a profit warning at the end of February, in which the group said losses would continue into the second half of the year because of a slump in orders. The shares have fallen from a high of 60p last year.

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حزب الوطن

Football ownership is goal of media

Borley Knapp must be spinning feathers. Only days after he decided that there was no chance of success for the £160 million bid for Newcastle United tabled by NTL, his cable group, an almost identical deal has taken place across the Channel.

Bordeaux, which frightened the life out of many of the European big boys with its run in the Uefa Cup a couple of years ago, and has nurtured stars such as Zinedine Zidane, Bixente Lizarazu and Christophe Dugarry, has been bought by a consortium of the French TV group, M6, and CLT-UFA, which is jointly owned by German publishing giant Bertelsmann and Albert Frère, the Belgian financier.

The companies will take a 67 per cent stake in Bordeaux, and then gradually exert their influence in a deal worth about £25 million — so kicking Bordeaux from the clutches of Enic, the football investment group, which has also recently failed in attempts to buy Tottenham Hotspur and Wembley.

Unlike in the UK, where NTL's decision to withdraw was prompt-

ed by the regulatory blocking of BSkyB's purchase of Manchester United, the concept of media groups owning football clubs is well established in France. Canal Plus, the satellite television group, owns Paris St Germain — which is made up of not only a football club but also a rugby and basketball team — while Parê, which has a stake in BSkyB, controls Lyon. By sheer coincidence, Canal Plus has the rights to pay-per-view football in France.

And it is not just in France that media companies and football clubs share owners. Silvio Berlusconi, who owns Italy's leading commercial television company, has owned AC Milan for more than a decade. No one in Italy has complained about this as Berlusconi has bankrolled Milan's purchase of almost every top player in Europe, from Marco van Basten to

Andrei Shevchenko. Dynamo Kiev's £20 million star striker.

Earlier this week, at the Football Forum conference in Zurich, Umberto Gandi, Milan's managing director, explained that Berlusconi views Milan as a part of his entertainment empire. "It is like we are putting on a film each week," he said. "We want the best actors for the show. The supporters can view it in different ways. They can go to the San Siro (Milan's ground), which is like going to the cinema. They can watch it on pay-per-view TV or they can buy videos of the game for their memories." Milan is in the group of teams that has struck pay-per-view deals with Tele Plus, a subsidiary of Canal Plus.

A hundred miles to the south of Milan, Fiorentina, another top team, is controlled by the Cecchi Gori group. And what does Cecchi

BUSINESS

By Jason Nisse

Gori do? Yes, television and publishing. Indeed Cecchi Gori yesterday announced that it is joining with The News Corporation, the ultimate parent company of the *Times* and 40 per cent shareholder in BSkyB, and four top football teams — Lazio, Roma, Parma and, of course, Fiorentina — to take control of Stream, Telecom Italia's pay-per-view rival to Tele Plus.

News Corp will have 35 per cent of this venture, while Cecchi Gori will have 18 per cent directly and 3 per cent through Fiorentina. In this case not only are the media companies owning the teams, but the teams are also owning the media companies.

In Germany, the structure of football clubs in the past has not really lent itself to ownership by media companies. Most clubs are still mutual organisations but, as our own building societies have proved, mutuality is not always sure to last.

This is certainly the case in Germany, where there is a dispute about the pay-per-view televising of matches. The dispute is essentially about the number of games that will be shown for free and how much the Kirsche organisation, which is the main player, is willing to pay for games. In Ger-

many, as in the UK, the debate centres on whether the teams should strike deals as a league or go it alone. Bayern Munich, the leaders of the Bundesliga and the country's largest club, wants to strike its own deal.

No German teams are owned by media groups but CLT-UFA has pumped quite a bit of money into Borussia Dortmund, which won the European Cup two years ago, while Bayer Leverkusen, which is controlled by the Bayer chemical company, is close to striking a deal with a "strategic partner". You can bet your bottom dollar it will be a media company.

ANOTHER interesting development in Europe is the near bankruptcy of the Swiss league, where quite a few of the top teams are close to insolvency thanks to overpaying for overvalued players. A di-

rector of FC Lausanne complained to me about its debts of SwFr2.5 million (about £1 million).

This is as nothing to the £22 million owed by Crystal Palace, 1 replied. Indeed, £1 million is how much Simon Patterson, the administrator from Moore Stephens Booth White, now running Palace, has been given to keep the club running over the summer.

Many football experts wonder whether this is enough. Buehler Phillips, the firm originally asked to be administrators, said it would have to have £1.6 million to keep the club alive.

The cash is needed because Palace will have no income between mid-May and mid-August, apart from advance payments for season tickets.

However, this season ticket money cannot be touched by the administrators until it has agreed a deal with its £8 million worth of "football creditors" — mainly teams owed transfer fees — because if it does not pay those debts then the Football League will not allow it to play next season.

Europe's pensions time bomb would send our taxes sky-high

Labour could end up paying to keep European pensioners in comfort, warns Charles Dumas

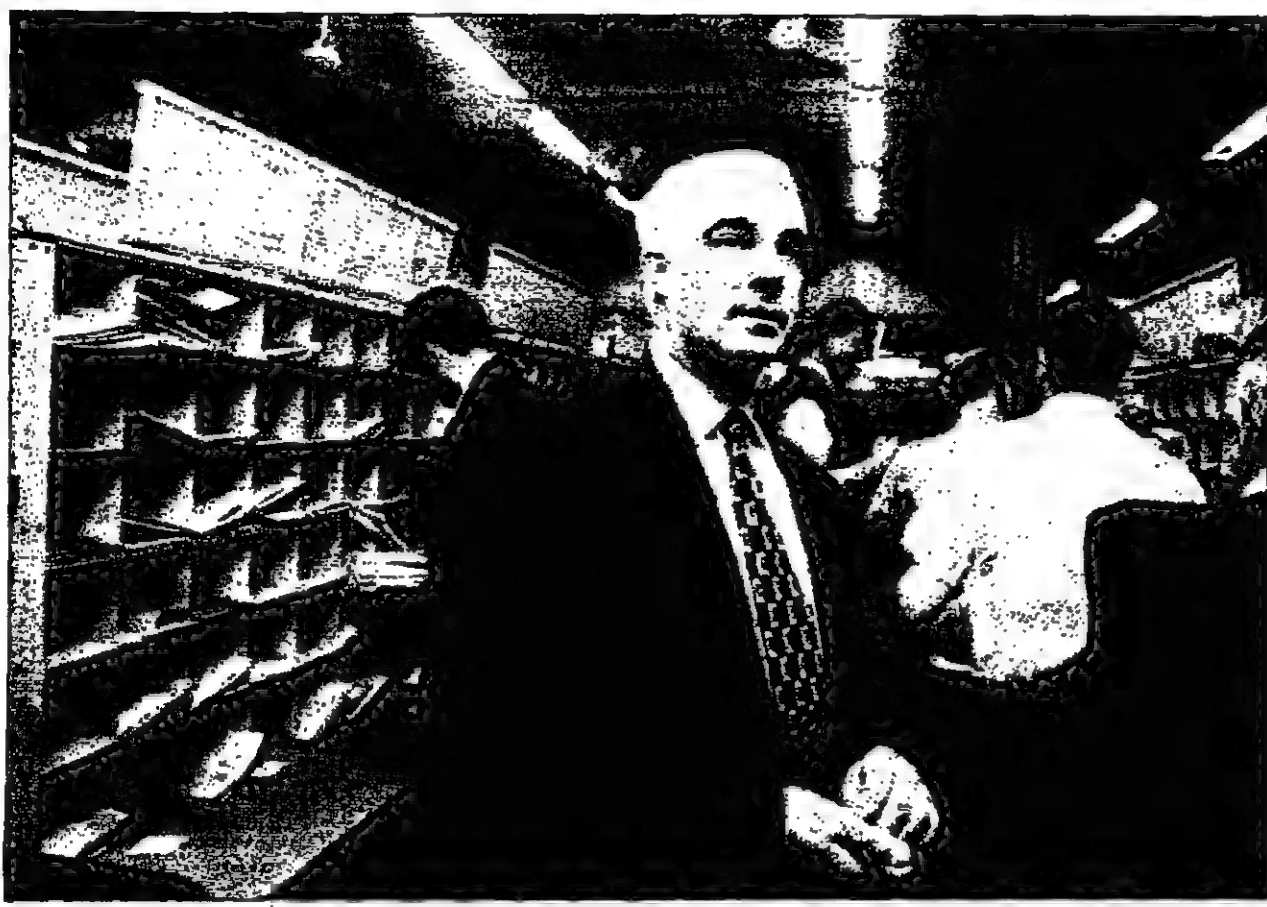
Few subjects turn off younger readers faster than pensions, but a low boredom threshold could be lethally expensive.

People who are now young will be generating the income that will pay for the coming pensions explosion. How it is financed will be crucially important. In this country, the political minefield of pension reform has effectively seen Harriet Harman and Frank Field — who was charged with "thinking the unthinkable" — lose their place in the Labour Government. Alistair Darling, the nearest thing new Labour has to a "safe pair of hands", is currently wrestling with the problem. But the real danger on pensions is not from within the UK — it is from Europe.

Current political developments in Europe mean that the pensions time bomb is more likely than ever to mean higher taxation. If Britain is not vigilant, our taxpayers will be co-opted into funding the much more lavish government-financed schemes on the Continent, where private pensions are insignificant.

If Britain adopts the euro, and joins economic and monetary union, vigilance will not be enough. Majority voting on taxes within euroland, with an end to the veto on tax issues, is a racing certainty before the time bomb goes off — which will be a decade or more into the next century.

The ageing of the population will raise the burden of all public pension schemes in Europe over the next 30 years. By 2030, the cost will be about half as much again as a percentage of national income, compared with now. The difference is that in Britain our public pensions are some 7 to 8 per cent of total output, but in Germany, France and Italy the ratio is two and a half times this, about 17 per cent. By contrast, British private



Alistair Darling is negotiating the political minefield of Britain's pensions reform, but the real danger is from Europe

pension schemes have accumulated funds equal to three quarters of national output. In Germany this ratio is 15 per cent, in France 6 per cent, and in Italy just 3 per cent.

Public pension costs will rise by a manageable 4 per cent of output in Britain by 2030, with most of the increase in the past ten years. This is well within the range of variance of government spending over long periods. On the Continent, the corresponding increase in public pensions spending will be about 10 per cent of total output.

Not only is this a huge increase, but it will be triggered earlier, and is added to levels of public spending (and taxes) that are already far higher than here. Against Britain's public spending ratio of 40 per cent of total output, Germany's is 46 per cent, Italy's 50 per cent, and France's 54 per cent.

Public pensions are paid from general taxation on a current basis, not out of invested funds accumulated over the working life of the pensioner. The chief source of increased

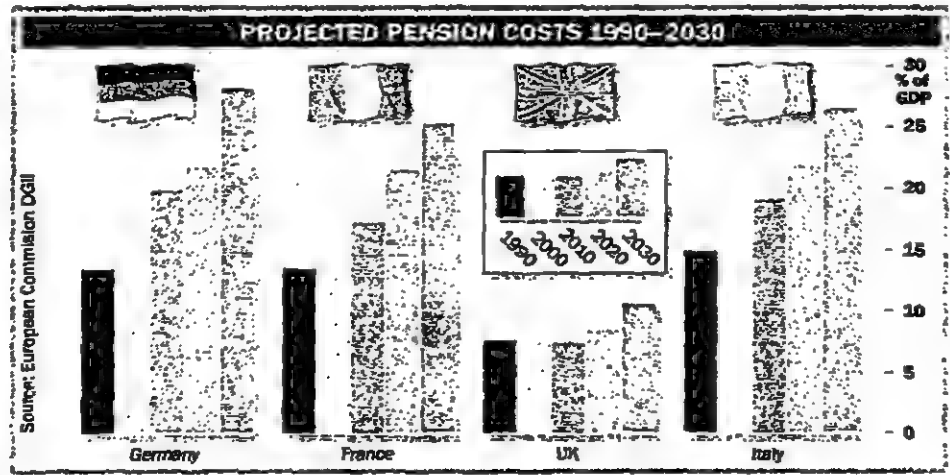
pensions in Britain will be payments from privately accumulated funds. On the Continent, the alternatives are four: reducing entitlements, meaning people will enter their working careers would be forced to accumulate the difference through higher savings; government borrowing; reducing spending on other government programmes; and higher taxes.

The first of these was largely

adopted in Britain over the past 20 years, at a time when the more benign age distribution of the population made it easier. The "baby-boomers" were about 30 years old in 1980 — now they are 50.

Tentative efforts to curb entitlements were begun on the Continent in the Nineties, but not much progress was made. The advent of socialist/social

Germany, France and Italy over the past two years has eliminated the pressure for reform. As well as disliking such a politically explosive issue, they believe public pension provision is right. They also have no great enthusiasm for the "Anglo-Saxon" shareholder capitalism that is necessary where the general public relies heavily on privately funded pensions.



Charles Dumas is head of the international service at Lombard Street Research

SB shareholders kept purring by 'fat cat' Leschly

They came not to bury Jan Leschly, but to praise him. There were more wisecracks than brickbats for SmithKline Beecham's £80 million man at yesterday's annual meeting of the drug company's shareholders. Yes, there were questions about Mr Leschly's extremely generous pay and incentives made reference to "greedy bastards", the infamous condemnation of fat cats made by union leader John Edmonds.

But the questions lacked venom, and most investors seemed appreciative of Mr Leschly, giving the charming Dane several rounds of applause. "I'm not bothered about the remuneration," said one. "Good luck to him."

Sir Peter Walters, chairman, accepted that "by UK standards our salary and overall remuneration is very high". But he defended the company's policy, claiming that the total remuneration of SB's senior executives "is at the mid-to-lower end of the scale when compared with the global healthcare companies that we consider our peers."

When a shareholder sarcastically asked why he and Mr Leschly were prepared to work for such modest pay, Sir Peter replied: "It's a personal sacrifice."

As widely trailed, Sir Peter said SB's annual review of its remuneration structure would take into consideration the views of UK shareholders when seeking to ensure it remains globally competitive. However, he also showed a slide suggesting that Mr Leschly was only the eighth-best paid chief executive in his industry last year, far behind US

companies such as Bristol-Myers Squibb and Pfizer. Glaxo Wellcome and Sir Richard Sykes was in 12th place.

Sir Peter warned shareholders not to believe everything in the papers about executive pay. He said his own package was reported to be £755,000 — but this included the 56,000 shares he bought during his ten years with the company. "The journalist might as well have put in the value of my house," said Sir Peter.

The £93 million total initially placed on Mr Leschly's benefits from SB included his £11 million shareholding. Mr Leschly was paid £1.9 million in 1998, less than in 1997. The balance of £80 million is made up of a plethora of option and incentive share schemes.

Most of the SB shareholders at the meeting can afford to take a relaxed view of rewards on this scale. As Sir Peter pointed out, SB shares have risen by an average of 41 per cent a year since Mr Leschly and his team took over in 1994.

Sir Peter ducked the most pointed questions he received, from Stuart Bell of PIRC, the pension fund advisers. He said SB had so far decided it was "not appropriate" to put the report of its remuneration committee to a separate vote.

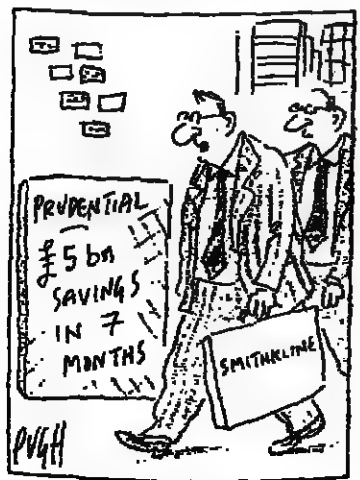
And he was reduced to incoherence when asked why executive incentives were awarded against performance against the relatively undemanding standards of the FTSE 100, rather than the much tougher benchmark set by international drug companies, the same peers SB uses to set pay levels.

PAUL DURMAN

Lack of trust

THE trade body for the investment trust world has tied itself into an anguished knot over a report from one of its members that is highly critical of a controversial new £27 million advertising campaign.

The new campaign, from the ad man who brought you "Tell Sid", has split an industry not exactly known for vicious internecine feuding. Big names such as Fleming and Foreign & Colonial are backing the ads, which should run in the autumn.



"They're almost doing as well as Jan Leschly"

But others are worried that generic advertising might not work. Worse, you could be spending money on boosting sales of rivals.

This view has been given a fillip by a report circulating from Aberdeen Asset Managers, which claims there is not much point in merely "raising awareness" if it doesn't sell more investment trusts.

The campaign is the idea of the Association of Investment Trust Companies, whose director-general, Daniel Godfrey, at first insists that no such report exists.

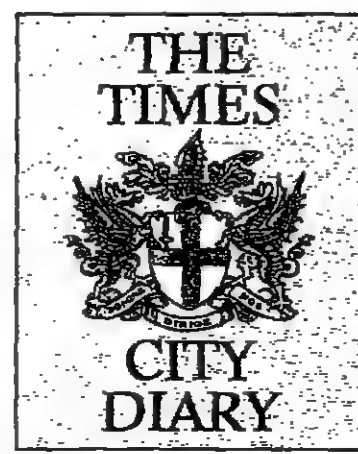
"I explain that I am reading it as we speak. 'If that's the case, I'm disappointed.'"

AN UNACCOMMODATED note of political correctness on the menu at the Gay Hussar, the flamboyant Hungarian restaurant in Soho.

Children & la Serb has been discreetly withdrawn. But I am told it is still available on request.

Church militant

BOARD members of British Aerospace already putting on the shin pads for today's annual meeting might like to know that the woman who almost single-handedly landed them in their latest spot of ethical



bother will be there again. Marian Peterson, wife of a retired vicar living in Southend, first brought to the attention of the Church of England's investment authorities the fact that they would end up with a sizeable holding in BAE after the purchase of GEC's Marconi Electronics.

As a result the Church has decided to dump the two million-plus shares in BAE because of a blanket ban on investments in companies where weapons are a significant part of their business.

Peterson, who was also at last year's troubled BAE annual meeting and was one of the few protesters not thrown out by security men, is modest about her contribution.

"I suppose I set it in motion, but it was by no means single-handed," she tells me. "I'm a very small player. It was an action whose time had come."

Re-tuning

MID-LIFE crises and abrupt changes of direction are becoming contagious in the City. We've had monks and vicars. Now Philip Lambert, 39-year-old head of energy and utilities at Dresdner Kleinwort Benson, is off to become a composer and concert pianist.

Lambert first tried for a career in music in his 20s but soon tired of starving in a garret and became an oil analyst instead. After 13 years he has accumulated enough capital to pursue his earlier dream.

"I want to go and see if there is another life," he tells me. This will involve composing pieces for piano "which don't sound like plagiarised Chopin".

He remains a realist, though. "If I find that my first concert is only attended by my wife, my mother and my dog, I may feel it is time to start Lambert Oil."

JAN LESCHLY, the monstrously well-rewarded chief executive of SmithKline Beecham, was keen to quote the company's share price to shareholders at yesterday's meeting. He turned to Sir Christopher Hogg, a non-executive, who happens to be chairman of Reuters.

Hogg whipped out his pager and replied "680p". "It can't be," said Leschly, correctly. "It must be 680p." Wrong big figure. An adviser admitted later: "The gadget worked perfectly. His eyesight's going."

Brand off

BERNARD ARNAULT has come a bit late to the Internet — and it shows. Arnauld has been trying to get his various brand names "dot-commed" as they say in the industry, registered so no one else can use them.

Dior, Lacroix, Givenchy — all locked up solid. But one has evaded him. The state of Hawaii has nabbed www.kenzo.com, and is holding firm. It is used to advertise a range of products including, as you see, cigars.

MARTIN WALLER
city.diary@the-times.co.uk



Cigars sold by the state of Hawaii using the www.kenzo.com site

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Consistency IT

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

[illegible]

هكذا من اجل

On the 40th anniversary of the Marketing Society, Alan Mitchell looks at the potential of e-commerce...

Now selling on a screen near you

The marketing profession has ridden many waves of technological change, from the printing press to radio and television. But the revolution represented by satellite communications, cable, digital television and the Internet is unleashing faster changes than anything marketers have wrestled with in the past 50 years.

Faced with proliferating ways of reaching their target audiences, marketers face a struggle to get across the right message to the right people at the right time at an acceptable cost. Efficiency pressures are triggering sometimes bitter debates about media inflation, marketing effectiveness and accountability, and the role of marketing departments. Experiments are under way in areas such as loyalty marketing, relationship and one-to-one marketing, umbrella and corporate branding.

Yet these debates and initiatives could still be too little, too late, if new breeds of business spawned by the information revolution take root. Most of the new business beasts are so novel that there is little agreed terminology to describe them. They include "disintermediators", such as Dell Computers, which deal directly with customers; "navigators", which help customers to search for the best choice of products and services; and "demand aggregators", which organise consumers to bargain as a single unit with suppliers over the price.

They also include auctioneers such as e-Bay, which put consumers directly in touch with each other; "infomediaries", which build up customer databases and use the information to broker matches between buyer and seller; and entities such as Buy.com, which uses products to sell advertising instead of using advertising to sell products — by selling products at below cost. Buy.com attracts millions of bargain hunters to its website, then makes its money by selling advertising to reach them.

These new breeds of business may be confined to the ether of e-commerce, but their

impact on traditional markets is direct.

As Martin Sorrell, chief executive of WPP, the world's second-biggest marketing services company, told the Incorporated Society of British Advertisers: "They are vernal. They ignore classic profitability models, and it is almost impossible to complete against them in traditional ways. We are talking about fundamental changes in the way companies go about doing things."

Philip Evans, a senior vice-president in the Boston Consulting Group, echoes Mr Sorrell. "People are applying to this new medium the same kind of mental framework they have been using for 50 years. That is wrong."

Mr Evans says the new forms of information-led business do three new things. They separate the processing of information about products from the products themselves, helping people to search for, find and evaluate products independently of those who have

Reverse marketing will require dramatic mindset shifts

a vested interest in selling them. Secondly, they provide consumers with as much information about their sellers as marketers traditionally accumulate about their customers. "This is making for a much more level playing field," he says in his forthcoming book, *Blown to Bits*. Thirdly, they are creating a new dimension of competition between brands — a race for customer affiliation based on who most effectively acts in the customer's interests.

John Hagel, a McKinsey consultant and the author of *Net Worth*, says this "reverse marketing" will involve companies in "one of the most challenging mindset shifts they can go through". He draws a parallel with Gutenberg, who invented the printing press to help to spread the Bible to the masses, but ended up helping to spread heresy instead.

Likewise, "most companies see e-commerce as a way of gaining a (dis)advantage relative to customers and other companies. But they are unleashing a set of forces that will dramatically strengthen customers' ability to deal with vendors."

Today's big brands are



With its interactive services, digital television will put viewers and consumers in the driving seat, but will present advertisers with a fragmented market

"product or vendor-centric brands — statements about the quality or attributes of the product or vendor". In future "the most powerful brands will be customer-centric" — meaning that the brandholder will know the individual customer better, and use this knowledge to be "the customer's advocate, or agent".

If reverse marketers establish themselves, the age-old marketing goal of aligning companies' offerings to changing customer requirements will become doubly critical. Yet Marketing Society research suggests that in half of UK plc the customer's voice is "rarely, if ever, represented around the boardroom table". Stephen Callender, the society's chairman, finds this disturbing: it is the profession's job, he says, to keep its finger on the customer's pulse. When companies fail to do so, there are "many opportunities for things to go wrong".

It may not have revolutionised the British media just yet, but after years of planning the digital revolution is under way.

By now there are more than 500,000 homes in the UK watching multichannel digital television in some form.

Although there may be an element of rounding up numbers in the earlier days, most analysts believe that digital has made a promising start.

After four months on air, Sky Digital, offering more than 100 channels of digital broadcasting, including 40 audio channels, has attracted 350,000 subscribers. Most were existing Sky subscribers who had been persuaded to upgrade their systems to digital, but 120,000 were new converts to multichannel television.

Sky, in which News International — the parent group of *The Times* — has a 40 per cent stake, was so pleased by the reception that it upgraded its forecasts to one million digital subscribers by October, the end of the first year on air.

Earlier this month ONdigital, the main commercial digital terrestrial television service, announced its first numbers — 110,000 subscribers in the first and a half months on air. It has run an effective marketing campaign emphasising the main advantage of digital terrestrial — extra choice through the existing aerial.

Later this year the three big cable companies — NTL, Cable & Wireless Communications and Telewest — will all start offering digital services to their three million-plus subscribers.

One of the great advantages the cable companies will have

Coming soon: video recorder that picks the programmes

is the ability to offer high-speed cable modems to connect their subscribers to the Internet. Video-on-demand — the ability to choose and view instantly the movie of your choice, chosen from a large library — may not be far behind.

The move to digital terrestrial will also be boosted this year by the increasing number of television sets coming on the market with the necessary electronics already installed — some of them priced as low as £500.

Early indications show that viewers are very positive about their new digital services and like the menu-driven way of selecting channels and programmes to watch.

But more channels and more choice is only one aspect of the digital revolution. Later this year more and more interactive services will be introduced, allowing home shopping, home banking and sending and receiving e-mails through the television set.

It signposts a move towards an on-demand world where viewers and consumers will

launch a video recorder that recognises and cuts out advertising when programmes are recorded. The machine automatically pauses when the advertisements come on and resumes recording when they are over.

Then companies such as Tivo and Replay are about to launch systems in America that can digitally capture, store and index up to 40 hours of television favourites. The new recording devices can recognise viewing patterns and if *Men Behaving Badly* is a regularly viewed programme the machine will automatically record it in future.

The new devices are expected to retail at about £400 and, like digital television, will have an electronic programme guide. This will enable viewers to choose immediately the genre of programmes — such as comedy or sport — in which they are most interested.

John Hendricks, the founder and chairman of Discovery Communications, told the Royal Television Society last week that broadcasters would soon have the power to offer a new experience — "telepresence". IPIX, a new 360-degree, all-directional photographic system, is already producing still images. Mr Hendricks believes that 360-degree digital moving pictures are less than two years away.

And all these developments are in addition to the speed of change in the Internet which will increasingly compete with television for the time and attention of users.

RAYMOND SNOODY



Website Buy.com uses products to sell advertising rather than advertising to sell products

Free services blow Net wide open

The launch of Freeserve, the free Internet access service, by Dixons Store Group last September, continues to cause aftershocks throughout Britain's Internet sector.

In a matter of weeks the service established itself as Britain's leading Internet service provider (ISP), simply by scrapping the £10 to £15 monthly subscription charges that were then common in the sector. Freeserve now claims to have 1.5 million users and has transformed Dixons into a stock market darling, turning on its head the "battle for eyeballs" among Britain's online media players.

Now the paid-for ISP brand Virgin Net has scrapped charges, along with BT ClickFree, originally launched as a premium-rate service.

This month *The Sun* newspaper (which has the same par-

The scrapping of charges for Internet delivery has been a winner, says Michael Kavanagh

ent company as *The Times*) launched its free ISP Current-Bun.com in its typically ebullient manner, while the Mirror Group has used its own promotional power to launch its "me-too" free ISP. This month MSN, the Microsoft-owned ISP, admitted that its subscriber base has dropped to 125,000 from 150,000 in January in the face of the onslaught by free ISPs. Industry analysts and Internet users are now wondering for how long AOL, previously the UK's leading online service provider, can hold its nerve and continue subscription charges.

The real battle, says Mark Danby, the general manager of Freeserve, is over who can

establish themselves among a small number of operators expected to dominate the online audience — and consequently the fast-growing advertising and online retailing revenues in the UK market.

Charlie Dobres, the general secretary of the Internet Advertising Bureau UK, says: "We were already seeing rapid growth in the UK online audience, but there is no doubt that it has been given a big boost by the arrival of free ISPs."

The leading UK "portal" site, Yahoo! (www.yahoo.co.uk), Britain's busiest website, has also been drawn into promoting its own free ISP backed by BT, to try to protect its existing status as the top provider of UK eyeballs online. The

commercial imperative of retaining one of the Web's leading destinations was demonstrated in January by the \$6.7 billion takeover of Yahoo! arch-rival Excite by the American telecom group @home.

Rob Lawson, the associate director at NOP, the market research company, confirms that the growth of Internet access is beginning to affect retailing habits. NOP estimates that 1.3 million people shopped online in the second half of 1998, from among the 10.6 million people who used the Internet at home or work last year.

Richard Wheaton, the director of new media at the Carat ad agency, says that even if

companies are not selling products via the Web, all marketing-driven companies should have a "digital strategy". People are increasingly consulting the Web before making purchases for more expensive and bulky items such as cars at traditional retail outlets, says Mr Wheaton, even if they are not buying online.

The low-cost airline easyJet is among those companies that have successfully grabbed the medium by the throat. This month easyJet announced that it had sold nearly 300,000 seats via its online booking services and that the Net now accounts for a quarter of all ticket sales. It expects the proportion of Net sales to grow to 30 per cent by the end of this year, and perhaps as high as 60 per cent by the end of next year, as consumer access to the World Wide Web becomes more pervasive.

Richard Wheaton, the director of new media at the Carat ad agency, says that even if

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The stuff of marketing legend: the quirky Tango commercials break all the rules, but have paid off in increased sales



Coffee break: today's consumers are more demanding — they know what they want and they are prepared to pay for it

Make marketing a state of mind

The past few years have not been kind to marketing. Though it flourished during the heady days of the 1980s, the early 1990s saw marketing come under fire in a barrage of studies and surveys cataloguing the profession's supposed deficiencies.

Marketers were seen as arrogant, short-term players, who blithely ignored the realities of the bottom line.

Then, a year ago, the first signs that marketing could be making a comeback appeared. KPMG Management Consulting produced a report based on a survey of those companies that had been successful

in growing shareholder value. The findings were unequivocal: marketing was shown to be regarded as the key to competitiveness and long-term growth. It was viewed as a means of getting the whole organisation focused on meeting customer needs rather than building larger marketing departments.

And this is the message that those banging the marketing drum in UK plc are trying to put across: that marketing has to become a state of mind as well as a set of functional skills. Customer focus from the boardroom down is what counts. And good marketers

should be proving their worth by leading the charge.

Sir Michael Perry, the chairman of Unilever, says: "One of Britain's greatest problems in the past few years has been that we have not focused as tightly as we should have on customers."

"It might sound true, but winning customer preference should be at the heart of every business. And that's not just about flogging things. It's about the whole basis on which products and services are put together, and how to beat the competition."

Sir Michael is also the chairman of the Marketing Council, set up under the auspices of Michael Heseltine when he was President of the Board of Trade. For the past few years it has been using what Sir Michael calls "every conceivable kind of platform" to make board directors appreciate the importance of customer focus.

One concept it has developed is that of pan-company marketing, or making everyone focus on customers. "Successful companies such as Unilever and Tesco have that philosophy right through their business," says Sir Michael. "It is an attitude of mind that starts with the chief executive."

What is important in this debate is to define what marketing means, says Tim Ambler, a senior fellow at London Business School, he is working with the Marketing Council to develop robust measures for marketing at all levels.

At the very top, marketing is what the company does. "Every company in the world has to make a turnover and that's how you do it," he says. Level two is what the marketing specialist does in terms of functional skills. Then there is the marketing budget, which is about promotion. In the field of promotion, for example, the strange ads for the soft drink Tango have become the stuff of marketing legend. Not only has their quirkiness paid off creatively and generated acres of headlines, but they have paid off in sales. That is because the owner of Tango, Britvic, let its ad agency, HHCL & Partners, throw away the rule book

about how to advertise soft drinks. When it does work as it has with Tango it is marketing at its best.

Mr Ambler does see signs of boards beginning to take marketing seriously, although there is still some way to go. Research from the Marketing Society on how well boards listen to their customers makes dire reading. When asked whether the marketing function was specifically represented on the main board or the most senior board in the UK, 68 per cent said yes.

However, the bigger they are, the less chance for marketing: only 57 per cent of companies with sales in excess of £1 billion had marketing on the board.

Fewer than a third believed that the opinion of the customer was implemented at board level; more than 40 per cent said it was done rarely or not at all. This does not surprise Stephen Callender, the chairman of the Marketing Society and a partner in the marketing communications agency Black Cat.

He points to an analysis of FTSE chief executives carried out by *Management Today*, which showed that only 12 of the top 100 have marketing in their background.

The Marketing Society, 40 years old this year and with 3,600 senior marketers as members, wants to change that. It is becoming more active in championing marketing excellence, as well as carrying out its more traditional role of generating enthusiasm and interest among members for its wide range of events and programmes.

"We are keen to establish marketing as one of the key professions and disciplines that make business successful," says Mr Callender. "We do not feel it is recognised as being as important as it is."

"If the Government started to promote marketing to a greater degree, then business would do something about it. Promote marketing, boost innovation, and so by definition grow business success, which affects employment. It all fits together."

LAURA MAZUR



Focused: Sir Michael



Key role: Callender

Customers out to buy time and pleasure

Get closer to your customer. This mantra of modern marketing is proving ever more difficult to put into action as new technologies threaten to turn traditional relationships between companies and customers upside down.

Consumers are responding to marketers' escalating blandishments by making themselves more elusive. Established classifications based on age, sex, class and income are losing their power as shoppers increasingly assert their own identity.

We are, the Future Foundation suggests in new research for First Direct, moving towards an "I" society, where consumers focus on "expressing individuality, being independent, both mentally and materially, and on finding new forms of fulfilment and sources of identity". They will simply refuse to fit into neat marketing boxes.

Indeed, among the trend-setting Tao Generation — as research group Synergy calls them — it has become positively cool to be contradictory. "Their overwhelming attitude is 'I just am who I am,'" says Pat Dade, a Synergy consultant. "Living with contradictions and actually welcoming new contradictions — that is where the fun is."

Researchers are finding this contradictory consumer everywhere. Marketing services giant Omnicom, for example, sees current consumer trends as a series of "paradoxes".

The populations of societies may be ageing, but eternal youth is the watchword even among "greys", notes Ira Mathia, an Omnicom futurist. Likewise, "going forward, we'll see the most effective marketing strategies meld the essence of nostalgia with the positive elements of futurism", she says.

Similar contradictions have been identified by the Henley Centre in its Planning for Consumer Change project. In a world rendered coldly rational by the triumph of industry and science, consumers are searching for "re-enchantedment", observes Stokes Jones, a Henley researcher.

Consumers want to put some magic back into their lives. Mr Jones believes people are yearning for a sense of community and for organisations and brands they can really trust. But that does not stop human beings being increasingly individualistic in their behaviour, and coldly instrumental in their dealings with companies.

Product quality and service levels may be improving, Mr Jones says, but consumers complain more — calculating that the more they complain, the more they get. Increasingly, their attitude towards marketers is: "If you want my attention, or information about me, you will have to pay me in some way for it."

Another contradictory trend is what Mr Jones calls "hedonism". With declining job security and a retreating welfare state, we are increasingly aware that we have to provide for our own future and we are building nest eggs "just in case". Yet often we make these

provisions to shove worrying aside and get on with the important task at hand — having fun. We tend to overestimate *homo economicus* (man the rational benefit-calculating machine) and underestimate *homo ludens* (man the player), Mr Jones says. "People need to enjoy themselves."

Perhaps the most important trend of all is consumers' increasing tendency to define value for money in terms of value for time.

If we can afford it, we are increasingly paying other people to do boring, unrewarding chores such as washing, cleaning and cooking. Just look at the success of home-delivery

pizza shops and takeaways. We are also increasingly prepared to pay for rewarding experiences, no matter how trivial they may seem. For example, Mr Jones attributes the explosive growth of coffee houses such as the Seattle Coffee Company (and Starbucks) to the mix of "experiences" they offer: a chance to relax and to seize the chance to become a coffee connoisseur.

Researchers such as Joseph Pine, a consultant at Strategic Horizons, argue that we are entering a new economic era, the experience economy, in which the key to marketing success lies increasingly in a company's ability to stage experiences for which customers are prepared to pay.

He says: "The history of economic progress consists of charging for what once was free. Instead of relying on our own wretchedness to experience the new and wondrous, we will increasingly pay companies to stage experiences for us, just as we now pay for services we once delivered ourselves, goods we once made ourselves and commodities we once extracted ourselves."

What next step? To sell "transformations".

What unites keep-fit, counselling, extreme sports, exotic holidays, new age mysticism, cosmetic surgery and a surging interest in education, Mr Pine suggests, is the search not just for experiences, but for things that change us.

Companies make products in factories. We, increasingly, make ourselves through the experiences we choose. Marketers could find selling "experiences" and "transformations" a huge opportunity.

ALAN MITCHELL

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Court of Appeal

Law Report April 28 1999

Court of Appeal

Inherent power to prevent abuse

Ebert v Birch and Another
Ebert v Vennil and Another
Before Lord Woolf, Master of the Rolls, Lord Justice Oton and Lord Justice Aldous
[Judgment March 30]

The High Court had an inherent jurisdiction to prevent the initiation of civil proceedings which were likely to constitute an abuse of the process of the court.

Where, therefore, a litigant had brought a series of vexatious proceedings against the same group of defendants, the High Court could grant an order prohibiting the commencement of similar proceedings without the leave of the court.

The High Court could make such an order in relation to both county court and High Court proceedings. However, it might not be appropriate for the county court to make an order prohibiting the commencement of High Court proceedings.

The Court of Appeal so held in dismissing an application by the plaintiff, Cedraljah Ebert, for leave to appeal against two orders made by Mr Justice Neuberger in the Chancery Division on July 7 and October 23, 1998, the effect of which, inter alia, was to prohibit him from bringing any new proceedings in the High Court or county court arising out of or concerning any matters involving or relating to or touching upon or leading to bankruptcy proceedings which had been brought against him.

In the first action the defendants were Mr Trevor Birch, liquidator of Europole Ltd, and Midland Bank plc.

In the second action, they were Ms Joan Vennil, the plaintiff's trustee in bankruptcy and Mr Ralph Wolff, the bankruptcy petitioner. Mr J. Rabinowicz, solicitor, was given leave to intervene.

Mr Andrew Mitchell for the bank; Mr Paul Emerson for Ms Vennil; Mr Robert Hantush for Mr Wolff; Mr Giles Cooper for Mr Rabinowicz; Mr Ian Burnett, QC, as amicus curiae; the plaintiff in person; the liquidator did not appear and was not represented.

THE MASTER OF THE ROLLS, giving the judgment of the court, said that the case raised a point of considerable importance relating to the extent of the inherent jurisdiction of the Supreme Court to prevent the initiation of civil proceedings which were likely

to constitute an abuse of the process of the court.

It was not in dispute that the court had an inherent jurisdiction to prevent further applications being made without the leave of the court in existing proceedings which were already before the court: see *Grepe v Loom* (1987) 37 Ch D 168.

What was in question was whether the court had jurisdiction in appropriate circumstances to make *Grepe v Loom* orders prohibiting new proceedings being commenced without the leave of the court and, if so, whether the orders could prohibit county court proceedings as well as High Court proceedings.

The facts of Mr Ebert's litigation made the need for the jurisdiction which was in issue abundantly clear. Mr Ebert by a series of vexatious proceedings had caused the parties to the proceedings to incur considerable expense which they had little or no hope of recovering. It was clear that Mr Ebert would continue to bring such proceedings unless he was restrained from doing so.

As a result, the Attorney-General had instituted proceedings against Mr Ebert under section 42 of the Supreme Court Act 1981. Those proceedings had not yet been heard. An order under section 42 could prevent all civil and/or criminal proceedings being initiated without the leave of the High Court.

Such an order was considerably wider than the conventional *Grepe v Loom* order and the orders made by Mr Justice Neuberger. An order under section 42 was, however, subject to safeguards. The application had to be made by the Attorney-General and be heard by a Divisional Court, that is, a court consisting of at least two High Court judges.

The Attorney-General was not normally involved in the making of a *Grepe v Loom* order and not only could that order be made by a single High Court judge, it could be made in the county court.

Mr Burnett did not suggest that the existence of the statutory power to make an order prevented the court exercising its inherent jurisdiction under *Grepe v Loom*. Bearing in mind the period during which that jurisdiction had been exercised alongside the statutory jurisdiction, such a submission

would have had no possible prospect of success.

Nonetheless there was force in the submission which Mr Ebert had advanced based on the existence of safeguards of an application under the statute.

Those safeguards did not, however, go to the jurisdiction to make a *Grepe v Loom* order. They served to emphasise the importance of such orders only being made when a clear case for making them had been established.

Notwithstanding the intervention of Parliament, an inherent jurisdiction remained alongside the statutory jurisdiction. That did not mean that the intervention of Parliament might not have cut down the inherent jurisdiction of the court.

If there was an application for an order of the same width as the statutory jurisdiction, the court could only appropriately deal with such an application under the statutory jurisdiction.

The inherent power to make an order was now more restricted. The question was: How much more restricted?

Mr Burnett had disputed that the court had an inherent jurisdiction to make orders in the wider form. His argument was founded upon two Commonwealth decisions: *Stewart v Auckland Transport Board* (1995) NZLR 576 and *Commonwealth Trading Bank v Inglis* (1974) 13 CLR 311. However, there had been considerably more authority available to their Lordships than had been available in either of those two cases.

Prior to the Vexatious Actions Act 1896 there were at least six orders made which restrained fresh proceedings. After the intervention by statute to provide a remedy, there were a number of cases in which the court had granted a wider form of restraint, including *Ladd v Den Hartog BV v Sea Bird* (1976) 120 CLR 453 and *McLean Homes (North London) Ltd v Dace* (1997) EGCS 120.

Bearing in mind the absence of full argument in those cases, their Lordships would not regard them as conclusive. They did at least show that it was assumed that the two Commonwealth cases should be accepted uncritically.

Their Lordships preferred to approach the issues from a standpoint of principle. Doing so, the

starting point had to be the extensive nature of the inherent jurisdiction of any court to prevent its procedures being abused.

Their Lordships saw no reason why, absent the intervention of a statute cutting down the jurisdiction, that jurisdiction should apply only in relation to existing proceedings and not to vexatious proceedings which were manifestly threatened but not yet initiated.

In relation to specific anticipated proceedings both in this jurisdiction and abroad, the court could and did grant an injunction to stay the proceedings.

The ability of the court to operate in that way when the proceedings were only anticipated was no more than an example of the court being prepared to protect an applicant from anticipated damage when that damage was sufficiently imminent and serious.

The court undoubtedly had the power to stay or strike out vexatious proceedings when they were commenced under its inherent power.

Their Lordships could see no reason in principle why it should not also, in accord with the general approach to the granting of quiet injunctions, exercise that power to prevent the serious loss that anticipated but unidentified proceedings could cause the defendants to those proceedings.

The making of an extended *Grepe v Loom* order or a *Grepe v Loom* order in its usual form did involve a serious inhibition on a prospective litigant exercising his normal rights of access to the courts. However, the extent of that interference should not be exaggerated.

First, it was only an inhibition on bringing proceedings without the leave of the court. If the proceedings were arguably meritorious leave would be forthcoming.

Second, the court would not make an order unless there were serious grounds for doing so and if there were no serious grounds, the order would be capable of being set aside on appeal.

The general approach of the courts in recent years had been to restrict the inherent jurisdiction of the court but to adopt a broad approach where that was appropriate.

In the course of argument reference had been made to article 6 of the European Convention for the Protection of Human Rights and

Fundamental Freedoms (1953) (ConD 9699) on the right of access to the courts.

Article 6 did no more than reflect the approach of the common law indicated by Mr Justice Laws in *R v Lord Chancellor, Ex parte Witham* (1998) QB 575. As long as the inherent power was exercised only when it was appropriate for it to be exercised, no contravention of article 6 or common law principle was involved.

If the court had jurisdiction to make an order in relation to proceedings which were anticipated but had not yet been initiated in the High Court, then their Lordships had no doubt that the High Court had power to make such an order in relation to the county court as well.

The High Court had traditionally exercised a supervisory jurisdiction in relation to the county court and although that jurisdiction was normally exercised over the county court by means of judicial review that did not mean that it was the only way the jurisdiction could be exercised.

The county court could give effect to the High Court order in the same way as it would give effect to an order made by a county court judge. There was still a High Court and county courts with separate but overlapping jurisdictions.

However, both courts were part of the same civil justice system. It would be absurd to say, when there was a process of merger between the High Court and county court, if it were necessary for a separate order to be made in the county court.

While it might not be appropriate for the county court to make an order in relation to the High Court, their Lordships could see no difficulty in the High Court making an order in relation to the county court.

The orders which Mr Justice Neuberger made were ones which he had been entitled to make. It was important that any such orders should be sufficiently certain so as to enable the person who was the subject of the order to know what he was entitled to do and what he was not entitled to do. These orders met that requirement.

Solicitors: Eversheds; Jeffrey Green Russell; Mayfair; Teacher Stern Selby; Ince & Co; Treasury Solicitor.

Regina v Baker
Regina v Ward
Before Lord Justice Roch, Mr Justice Richards and Judge Colston, QC
[Judgment March 31]

Guidance was given on the assistance a trial judge should give when the limitations or exceptions to the defence of duress had to be considered by a jury.

The Court of Appeal, Criminal Division, allowed the appeals of Tony Baker and Alan Ward against their convictions on July 23, 1998 at Croydon Crown Court (Judge Pullinger and a jury) of possessing a firearm while committing an offence and of robbery and ordered a retrial.

Mr John Cooper for Baker; Miss Carolyn Marsh for Ward, both assigned by the Registrar of Criminal Appeals; Miss Amanda Pinto for the Crown.

LORD JUSTICE ROCH, giving the reserved judgment of the court, said that it was not disputed that on February 16, 1998, the appellants committed a robbery at the Hafford Superstore in Croydon, during which an induction pistol was used and two security bags containing the previous day's takings were taken.

The appellants' defence at trial was that they had been subject to duress. The issues that the jury had to decide were in a position where he was likely to be subjected to duress if he knew or was aware that that was what he was doing.

Where the evidence in a case raised the second limitation to the defence of duress, the direction to be given had to be worded in a way appropriate to the particular case.

In some situations the defence might be so clear that the judge would be entitled to rule that the defence was not open to the accused, for example, where he had joined a terrorist organisation or a gang of armed robbers.

In other cases, the accused might have joined criminal groups where the question whether he had by so doing voluntarily placed himself in a position where he was aware that he was likely to be subjected to duress would be less clear and the issue would have to be left to the jury.

In another type of case the accused, although not joining a gang or organisation, might have involved himself in criminal activities which brought him into contact with other criminals in circumstances where the accused knew or was aware that if he defaulted in fulfilling his role or in discharging obligations he had assumed in relation to the other criminals he would be subjected to such compulsion. Drug dealing on a scale which was significant could be such a case.

nor of those who readily could have avoided the dominance of threats, nor of those who allow themselves to be at the disposal and under the sway of some gangster-tyrant: see *DPP for Northern Ireland v Lynch* (1975) AC 653, 670.

Two limitations on the defence of duress had developed: 1 "A man must not voluntarily put himself in a position where he is likely to be subjected to such compulsion"; and 2 "If a person can avoid the effects of duress by escaping from the threats, without damage to himself (or to a member of his immediate family), he must do so": see *R v Sharp* (1987) 85 Cr App R 207.

The defence of duress involved both subjective and objective elements. Thus when considering whether the compulsion to which a defendant claimed to have been subjected amounted to duress, the conduct relied on must be such that any sober person of reasonable firmness of a sort similar to the defendant would have reacted in a similar way.

Equally it could not say that he was not able to avoid the effects of duress if a reasonable person of a sort similar to the defendant in his position would have done so.

Nor could an accused be heard to say that he had not voluntarily put himself in a position where he was likely to be subjected to duress if he knew or was aware that that was what he was doing.

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The present case was one in which it was appropriate to leave to the jury the question whether the accused had voluntarily put himself in a position where they were likely to be subjected to duress.

The defence of duress would not be available to an accused in that situation if he was aware that there was a risk of pressure by way of violence or threats of death or violence to him or a member of his immediate family being brought to bear upon him.

The purpose of the pressure had to be to coerce the accused into committing a criminal offence of the type for which he was being tried. If the accused had no reason to anticipate such pressure he would be entitled to rely upon duress.

The requirement for the defendant to be an active member of the group was applicable to cases where the defendant had joined a terrorist gang or criminal group and enabled a defendant to take advantage of the defence of duress where he had ceased to be a member of the gang or group: see *R v Lewis* (1993) 96 Cr App R 412.

In the instant case the jury, having been directed on duress, could then have been directed that if they found it reasonably possible that the accused were subjected to the store and subjected to the compulsion they described when they gave evidence, and that a man of reasonable firmness would have yielded to such threats and carried out the robbery, then two further questions arose.

First, had the prosecution proved that the accused could have neutralised the threats by seeking the assistance of the police?

The prosecution were saying that the accused could have done so and that any reasonable person in their position would have done so. The accused were saying that the police could not have provided effective protection for themselves and their families against the men who had come to threaten them.

If the jury's answer to that question was "Yes" the defence would not have been available. If the answer was "No" the defence would have been available subject to a second question.

Had the prosecution proved that the accused had voluntarily put himself in a position where they were likely to be subjected to compulsion of the necessary kind to commit offences to obtain money?

If the jury answered that question "Yes" the defence of duress would not have been available to the accused. If the jury answered that question "No" then the defence of duress would have been available.

Solicitors: CFS, Croydon.

Costs order after discharge not a bankruptcy debt

Glenister v Rowe

Before Lord Justice Butler-Sloss, Lord Justice Thorpe and Lord Justice Mummery
[Judgment April 21]

A costs order made after the debtor was discharged from bankruptcy in proceedings which commenced prior to his bankruptcy was not a "bankruptcy debt" within the meaning of section 323(1)(a) of the Insolvency Act 1986 and accordingly the debtor was liable to pay the costs.

The Court of Appeal so held in a reserved judgment in allowing an appeal brought by the creditor, Margaret Anne Rowe, against the decision of Mr Justice Mummery, QC, sitting as a deputy Chancery Division judge on June 10, 1998, when he discharged the order of Deputy Registrar Jacques and set aside a statutory demand for £16,531.35 which had been served on the debtor, Graham Dennis Glenister.

Section 281 of the 1986 Act provides: "... where a bankrupt is discharged, the discharge releases him from all the bankruptcy debts."

Section 382 provides: "(1) 'Bankruptcy debt' in relation to a bankrupt, means ... (a) any debt or liability to which he is subject at the commencement of the bankruptcy ..."

Mr Jamie Riley for Mrs Rowe; Mr Mark Arnold for Mr Glenister.

LORD JUSTICE MUMMERY said that on June 4, 1985 Mrs Rowe issued proceedings against Mr Glenister and others for declaratory relief, accounts and inquiries and damages for breach of trust.

On October 5, 1990 Mr Glenister was unsuccessful in applying to the master to strike out the case for want of prosecution. On June 20, 1991 Mr Justice Millett discharged the order of the master and struck out Mrs Rowe's claim.

On July 29, 1991 Mrs Rowe filed a notice of appeal against the order of Mr Justice Millett. On June 24, 1992 Mr Glenister was made bankrupt.

On May 11, 1994 Mrs Rowe was given leave to proceed with the appeal to the Court of Appeal. On

June 24, 1995 Mr Glenister was discharged from bankruptcy.

On July 25, 1995 Mrs Rowe's appeal was allowed with an order for costs against Mr Glenister up to June 8, 1992 and the costs after June 21, 1995 to be paid by Mr Glenister's trustee in bankruptcy.

On September 5, 1996 the costs were taxed. On December 3, 1997 a statutory demand was issued by Mrs Rowe's solicitors. On December 22, 1997 Mr Glenister applied to set aside the statutory demand.

On March 26, 1998 Deputy Registrar Jacques refused to set the statutory demand aside and authorised Mrs Rowe to present a bankruptcy petition.

On Mr Glenister's appeal, Miss Doherty set the statutory demand aside. She held that the sum included in the statutory demand was a contingent liability within the meaning of section 382(1)(a) and fell to be met out of the bankrupt's estate.

Mr Riley argued that a contingent liability was a legal liability to pay money or money's worth which arose out of an existing and

binding obligation but which was suspended on the occurrence of a future event.

Contingent debt and contingent liability were not defined in the Act.

The cases on the subject could be divided into those pre and post 1986. In the former category were *In re British Cold Fields of West Africa* (1879) 2 Ch 71, *In re Deane* or (1911) 2 KB 652 and *In re Pitchford* (1924) 2 Ch 260.

Post 1986 cases included *In re Wisepark Ltd* (1994) BCC 221, *In re Eileen Davies* (1997) BPIR 619.

Mr Riley also cited *In re William Hockley* (1962) 1 WLR 555, *Community Development Party Ltd v Englewood Construction Company* (1969) 120 CLR 453 and *Federal Commissioner of Taxation v Gostroy* (1986) VR 876.

Mr Arnold challenged the correctness of the later cases relied upon by Mr Riley arguing that they were decided per incuriam since *In re Sutherland* (1963) AC 239 had not been cited.

Their Lordships' judgment the claim for costs in the present case was not a contingent liability at the date of the bankruptcy and Mrs Rowe was entitled to make the statutory demand.

The costs of legal proceedings were in the discretion of the court and until the order was made there was no obligation or liability to pay them. Once legal proceedings were commenced there was always a risk of costs.

An order for costs was a contingency which might or might not happen. The fact the order for costs created an obligation to pay was not sufficient to make a claim a "contingent liability".

Prior to the court order, there was no present or future liability. It was never certain a court would make an order. The discretionary nature of the judge's power in relation to costs precluded it from being a liability, contingent or otherwise.

Lord Justice Thorpe delivered a concurring judgment and Lord Justice Butler-Sloss agreed.

Solicitors: Stone Rowe Brewer, Titchmarsh; Brooke North, Holborn.

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Relief not available

On Demand Information plc (in administrative receivership) and Another v Michael Gerson (Finance) plc and Another

Before Mr George Laurence, QC
[Judgment March 5]

As the essence of granting relief from forfeiture was to restore the status quo between the parties, such relief could not be granted where property leased to one of the parties could no longer be restored to its owner, as was the case when the lessor had already sold the property to a third party.

Mr George Laurence, QC, sitting as a deputy Chancery Division judge, so held in a reserved judgment dismissing the motion for relief against forfeiture of the plaintiffs.

On Demand Information plc and On Demand Information International plc, both in administrative receivership, the lessors of video and editing equipment from the defendants, Michael Gerson (Finance) plc and Michael Gerson (Investments) Ltd, under finance leases, and ordering that money paid into an escrow account in accordance with the order of Mr Justice Harman dated March 5, 1998 be paid out with interest to the defendants.

Mr Fidelis Odiah for the plaintiffs; Mr David Donaldson, QC and Mr Hugh Tomlinson for the defendants.

HIS LORDSHIP said that the plaintiffs entered into four finance leasing agreements in substantial identical terms between September 1994 and May 1995, under which video and editing equipment worth approximately £650,000 was leased from one or other, or both of the defendants, with whom legal and beneficial ownership remained at all times, for an initial period of three years.

On February 12, 1998 the plaintiffs went into administrative receivership, causing the defendants to repossess each of the leases.

On February 20, 1998 the receivers sold the second plaintiffs' New Media Publishing division as a going concern, complete with the leased equipment.

The plaintiffs had no title to sell and had not complied with the conditions in the leases permitting them to sell as agent for the defendants.

On March 5, 1998 the plaintiffs obtained the leave of Mr Justice Harman to sell the business and pay the gross proceeds of sale of the equipment, about £132,839 into an escrow account in the name of the plaintiffs' solicitors.

The plaintiffs admitted that the equipment could have been sold for approximately £251,617, also that the sale had cost the defendants a number of tax advantages.

Applying the tripartite test devised by Lord Wilberforce in *Shiloh Spinners Ltd v Harding* (1973) AC 691, 723, there would have been a case for granting relief had the equipment not been sold.

Restoration of the status quo required the lessee to pay the second terms of the agreement if it wished to continue to use and possess the equipment, or to comply strictly with the notice period so as to be entitled to sell as the lessors' agent. Neither possibility existed in the present case.

Solicitors: Walker Morris, Leeds; Roys Tedwell.

Corrections
In *Paragon Finance plc v Hare* (The Times April 1) after further argument, the judge accepted an amended statement of claim which removed all reference to conspiracy and put the case on the footing that the second and fourth defendants acted for the third defendant with the knowledge that the sub-sales were not to be reported when the plaintiff required them to be and therefore they could be liable for knowing receipt.

In *R v Jones v Nelson* (The Times April 21) Mr Courtenay Griffiths, QC, appeared for Nelson. In *R v DPP, Ex parte Lee* (The Times April 26) the principles stated apply to cases which may be tried on indictment as well as those which must be tried on indictment.

Licence no bar to dissolution of company

In re Wilmot Trading Ltd

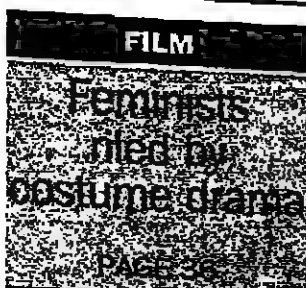
Before Mr Justice Neuberger
[Judgment March 31]

There was nothing in company law, insolvency law or environmental protection law which prevented the dissolution of an insolvent company which held a waste management licence.

Mr Justice Neuberger so held in the Chancery Division when making a declaration and five directions sought by Mr Henry, liquidator of Wilmot Trading Company Ltd. The Environment Agency were the respondents.

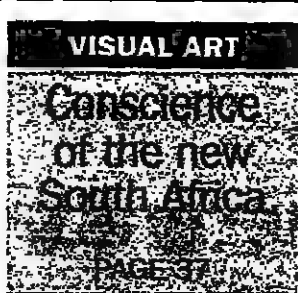
Mr Steven Wolff for the liquidator; Mr Steve Todd, QC and Mr Andrew MacNab for the Environment Agency.

APRIL 28 1999
Court of Appeal
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ss to jury



FILM
Feminists
costume drama

THE TIMES ARTS



VISUAL ART
Conscience
of the new
South Africa



Frankly, not baffled enough

Anthony Shaffer, the author of this celebrated thriller, is described in the programme biography as currently working on a new play. How nice for him if it runs as long as his first. But I wouldn't bank on it.

In the years since *Sleuth* first bamboozled audiences back in 1970, none of his plays has found a fraction of the same favour, unlike his screenplays — *Frenzy* for Alfred Hitchcock and *The Wicker Man* — which certainly climb to similar heights of contrivance and terror. Even the remarkable achievement of *Sleuth* (some 2,359 performances in the West End alone) looks surprising in the light of this Mobil Touring Theatre revival.

As with *The Mousetrap* there is only so much one can say about the treble-crossing plot. Peter Bowles and Michael Maloney are together on stage for the first act, but I should not like to say this is the case in the second. Bowles plays the arrogantly appalling Andrew Wyke, detective novelist of the snobbish old school that sneered at the social ignorance of policeman — "Frankly, sir, we in the Force are baffled" — who inevitably trail behind the polymathic brilliance of the amateur.

Wyke's amateur is St John Lord Merriwell, seemingly a waddling barrel of lard but of course supremely gifted in the art of downgrading the professional. The ludicrous solution he comes up with in Wyke's latest novel, *The Corpse on the Tennis Court* — "Frankly, my lord, we in the Force are baffled" — is an excellent parody by Shaffer of the insanely inventive originals. The only criticism I have to make of Andrew Leigh's superbly chirruped set — imagine a toyshop inside a Victorian morgue — is that the life-sized model of Merriwell slumped in an armchair quite lacks the proper bulk.

BENEDICT NIGHTINGALE

Sleuth
Richmond

Maloney plays Milo Tindle, half-Italian and quarter-Jewish. This low-caste creature, as Wyke sees him, needs to be taught a lesson, and in the course of the play's two acts this lesson, and others issuing from it, are duly taught.

While clearly fascinated by the games-playing mentality of detective writers, Shaffer is fiercely critical of the xenophobic, racist attitudes that could accompany it — and this anger, fuelling Milo's psychology and the looping plot of *Sleuth*, helps to make the play special: both an example and a criticism of the genre. But to those of us who remember the loops, the first half's plotting ploys. Even someone new to the play, and quickly grasping that all cannot be as it seems, will chafe at the laborious preparation for the changes in mood.

Peter Wilson's direction can't exactly be faulted, because Maloney and Bowles move interestingly around the set's two levels, and the pace quickens when the plot thickens. When the plot thins out again the lack of pace is the author's responsibility. In these areas the characters turn back into cardboard but elsewhere Maloney (though he looks as Italian as an iceland) and Bowles inject some touches of reality.

Bowles's bitter mouth, air of condescending cruelty and childlike hurt are to the purpose. Maloney in investigative mode sounds absurdly like Lord John Silver with asthma, but his cold passion comes across as real. It is the play itself that now seems as antique as the originals it skewered.

JEREMY KINGSTON



Prunella Scales with (from left) Steven Pacey, Nigel Terry and Timothy West in Pinter's first play, *The Birthday Party*, dismissed by the critics as "lunatic ravings" in 1958

Gibberish worth revisiting

Is Harold Pinter's first full-length play, finely staged by Sam Mendes at the National only five years ago, in need of yet another revival? Of course it is, and not just because we critics should be regularly reminded that he has a duty to be humble when confronted with strange new work. "What this means only Mr Pinter knows, for his characters speak in non-sequiturs, half-gibberish and lunatic ravings," wrote *The Guardian* back in 1958, summing up the general view — yet the abstruse flop is now acknowledged as one of the century's key works.

Why? The words stay the same but the play changes, depending on what is going on in the world and the spectator's

mind. A shabby, messy, out-of-work pianist festers in the dulllest boarding house even the British seaside has produced. At the Piccadilly the very roses on the wallpaper are dying of boredom. In come two men in suits. Without doing anything obviously violent they break his spirit. They tease, accuse, pester, sneer, play disconcerting games — and, lo, the next morning they cart off a speechless but neatly dressed wreck to God knows where.

Joe Hazzleton, the play's latest director, does not tilt his production in any single, special direction. If you wish, you can see Timothy West's big, fake-genial Goldberg, with his preposterously curly, platinum-coloured wig, and Nigel



THEATRE

Terry's fidgety, white-haired McCann as krakens from the depths of the troubled mind of Steven Pacey's Stanley. You can see them as impotent representatives of the society the young man has tried to escape. As Pinter himself once said: "The hierarchy, the Establishment, the socio-religious monsters arrive to effect censure and alteration upon a member of the club who has discarded responsibility." But he has also intimated

that no European who has sat in dread of a certain sort of knock on the door could fail to understand the piece. That sound was much heard in Germany in the 1930s, could well have been repeated in Blackpool or Bournemouth in the 1940s, and may now be resonating in dissident homes in the Balkans. "You betray our breed," "You betray our land," "We can sterilise you": the taunting voices are Irish and Jewish, as they must be, but there is still something of the ethnic cleanser in them. The revival's tiny chronological tricks — we get the original references to 1950s High Street shops, but also a glimpse of a headline about racism in a modern tabloid — surely encourage that line of thought.

I have seen more sinister, disturbing productions of the play. Sudden switches of light cannot substitute for a lack of human intensity when mental torture is on the agenda. Yet the acting is mostly strong. West and Terry catch the nervous insecurity as well as the determination of the tormentors: Pacey, all matted hair and balky body language at

first, has the craft plausibly to gulp, sob, giggle and gibber his way to his grim apotheosis. Prunella Scales, pink hair-curlers tottering down her forehead, is memorably dim as a landlady who sees and learns nothing. Yes, it's good to see *The Birthday Party* again.

BENEDICT NIGHTINGALE

Luke Clancy on the latest moves by Cork's innovative Corcadorca company

Enda's Irish pigs take flight

Sitting with a cup of tea in the yellowing cafe of Cork's Crawford Gallery, Enda Walsh smiles happily. At the end of a long, long development of his latest play, the Dublin-born writer seems excited with the results. He smiles a great deal as he speaks even if there is a hint of manic exhaustion in his bright eyes.

There has been plenty of time for Walsh to grow tired of *Misterman*, the follow-up to his award-winning, globe-trotting *Disco Pigs*. After all, he produced his first draft of the play in an energetic rush back in 1997. Since then the script has been subject to the unique developmental techniques of Corcadorca, one of the most innovative and driven of Irish theatre companies.

Corcadorca — the name hints at an interest in the darker side of their home town — has been in existence since 1991. Founded by director Pat Kiernan, the company took on the shape it has today when Walsh joined in 1993. "Pat wanted someone who could script, a kind of lyricist for whatever he wanted to do, and that's me," says Walsh. The creative core of the outfit remains Walsh and Kiernan, with a close circle of colleagues involved in sound, lighting and design.

After a production of Walsh's *The Ginger Ale Boy*, the company became galvanised as a theatrical force. It opened a celebrated version of *Blackwork Orange* in Cork in 2001, but it was with the next box, *Disco Pigs*, that the company began to attract international attention.

The play, about two Cork year-olds on the rampage through the night-time city, seemed like a long-awaited release of pressure, like an underground river of linguistic energy that had suddenly



He writes, he acts: Enda Walsh in his new play *Misterman*

found the surface. Walsh's writing took the almost yodeling cadences of everyday Cork speech and formed them into a private language for his ultraviolent teenagers.

Kiernan's direction turned the urban setting into a kind of nasty sci-fi location, and Walsh's dialogue, bubbling with oddly lyrical Cork slang, compounded the sense of otherworldliness. The piece travelled to the Edinburgh Festival, after which two separate casts embarked on international tours. Audiences seemed simply astonished at what they were seeing.

"The main thread of our work, I suppose, is that we are dealing with very vulnerable, emotionally unstable people," says Walsh, a point underlined when the company went

on to stage the first Irish production of Sarah Kane's *Phaedra's Love*. Now, however, they are again at work on a piece by Walsh.

After an extensive workshop development there was still no breakthrough on the casting of *Misterman*. It was a chance remark from playwright Tom Murphy that prompted Walsh to play the role himself.

The one-man show, which opened at the Granary Theatre in Cork on Monday night, tells the story of Thomas, an apparently disturbed young man with strong religious leanings, whose almost Trifid-like religious fervour leads him to take a dire view of life in the imaginary village of Imisfree.

Walsh's performance is driven, sometimes crazed, but always touching. He clammers energetically over the primary coloured toytown set, writhing in Aedin Cosgrove's gelatinous lighting and at one point ranting in a shower of on-stage rain. Other voices pop up in Cormac O'Connor's soundtrack which runs constantly, adding mood music, or doubling Walsh's live words in brittle electronic reverbs, but for the most part the audience listens to the playwright narrate Thomas's insanity.

The retro leanings of *Misterman* are somewhat startling after *Disco Pigs*' slick futuristic feel, and there are hints of Pat McCabe — "but you know," says Walsh, "Pat McCabe doesn't run the monopoly for writing about rural Ireland. And Corcadorca's stamp on the traditional elements is distinctive."

That distinctive stamp will be seen in Edinburgh once again this year when *Misterman* opens at the festival. And the company plans to experiment in areas far beyond the theatre. Once *Misterman* is up and running the company moves on to a short film, written by Walsh, about a family that wakes one Christmas to find Santa dead under the tree, after which the company is co-producing a radio play, *Four Big Days in the Life of Desse Banks*. Walsh is also into his fourth draft of the film version of *Disco Pigs*. Later in the year, *Bedbound*, Corcadorca's Walsh-remixed co-production with London's Bush Theatre, will open.

For the new century, Corcadorca has already planned an enormous passion play for the streets of Cork next Good Friday. A strange turn for a group that made its name with a raucous drama about teenage kicks? "Well," says Walsh, "we still know a good story when we hear one."

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LISTINGS

Joshua Bell at the Wigmore

ARTS

Raped or romanced?

Sheila Johnston on
Artemisia, a
controversial new
film about the 'first'
woman painter



Felicity Lott sings in a
charity gala at St John's

Symphony, Paolo Berglund conducts.
Symphony Hall (0121-212 3333).
Tonight, 7.30pm. £

CREW: Stephen Unwin directs Don
Juan, Molière's dark classic, for
English Touring Theatre, with Rupert
Holmes as the debauched
seducer. National tour starts here.
Lyceum (0121-559 3333). Preview
tonight, 7.30pm. Opens tomorrow,
7.30pm. £

STRATFORD-UPON-AVON: First full
adaptation, by Ben Bantock, of Aphra
Bennett's 1688 novel *Oroonoko*, the
history of a West African prince sold
into slavery. Gregory Doran directs.
The Other Place (01789 256623).
Opens tonight, 7pm. £

NEW WEST END SHOWS

Jeremy Kingston's choice of theatre showing in London
■ House full, returns only ■ Some seats available ■ Seats at all prices

■ **PLENTY** (PG): Cate Blanchett plays David
Hare's heroine in her years of despair
from 1945 to the 1960s. Jonathan Kent
directs first major revival for 21 years.
Albany (0171-369 1740).

■ **ALL PASSION SPENT**: New stage
version of *Via Salaria* tells the story
of the widow who demands her
children with her revolutionary views.
Alison Clarke directs for Slop Gap.
Wendell Theatre (0171-559 3333).

■ **THE BIRTHDAY PARTY**: Prunella
Scales and Timothy West lead the
strong cast in Pinter's first full-length
play, memorably joining comedy and
melancholy. See reviews p.15.
Pleasance (0171-569 1734).

■ **CANDIDE**: Great songs in Bar-
naby Rime's musical drawn from Voltaire.
John Caird and Trevor Nunn direct
excellent cast led by David Evans.
Ala Hilly and Simon Russell Beale.
Olivier (0171-452 3000). £

■ **MAMMA MIA!**: Enjoyable musical
that tells a tale of three mothers of a
bride in order to steer a barmy way

FILMS ON GENERAL RELEASE

James Christopher's choice of the latest movies

NEW RELEASES

■ **BREATHLESS** (18): Nicolas Cage, in his
most magnetic role ever, plays a young
man who gets the ugly facts surround-
ing a snuff movie. Director Joel Schum-
acher tells a dark and disturbing story
about the dark side of the film industry.
A pleasure nonetheless.

■ **BESIEGED** (PG): Bernardo Bertolucci's
touch in the strange romance between
David Thewlis and Thandie Newton is
irresistibly light and subtle. A strange
romance and a thrilling film.

■ **MESSAGE IN A BOTTLE** (12): A
corvid romance with Kevin Costner
and Robin Wright Penn. A less-than-
impressive film, but a pleasure to watch.

■ **THE BRYLCREEN BOYS** (15):
Unbelievable Irish prison drama. In a
Kilmainham prison-of-war camp in 1941,
Michael Byrne, Joe McGinnis and
Angus MacFadyen. Terence Ryan is
responsible.

■ **OUT OF THE PRESENT** (18): Russian
space documentary. A seriously
slippery account of endurance.
Andrej Ujic directs.

■ **DANCE WITH ME** (PG): A lush feast
for the eyes. Director John Dahl
tells a tale of love and lust. A
Randa Haines directs.

■ **MISADVENTURES OF MARGARET**
(15): Brian Stewart's urban romance
thriller. Parker Posey and Jeremy
Northam in a dark, sex-obsessed
potboiler. It's awful.

CURRENT

■ **AN IDEAL HUSBAND** (PG): Oliver
Parkes's sumptuous homage to
David Thewlis and Thandie Newton is
irresistibly light and subtle. A strange
romance and a thrilling film.

■ **HAPPINESS** (18): Poignant but
unconvincing comedy about a man
who attempts to find happiness.
Todd Solondz's film works as an
original, edgy line between farce and
humour and comedy.

■ **PROMETHEUS** (15): Tony Harrison's
drama, *awesome film-poem* is a work
of surreal genius and endless layers.
Michael Frost is camp and compelling
as Zeus's flunky who looks at what
exactly we have achieved and
destroyed with his stolen fire. It's
hard work.

■ **A CIVIL ACTION** (15): Meaty
courtroom drama with John Travolta
and Robert Duvall in a sprawling film
as two lawyers in a multi-million dollar
case about toxic dumping. Steven
Zellweger directs.

The two women bend forward
intently over their task, their
sleeves rolled back as though
they were kneading dough or
plucking a chicken. But they are not
absorbed in some comforting everyday
domestic chore. Instead, the object of
their attentions is a man, whom they
are about to decapitate.

The Italian Baroque painting *Judith
Slaying Holofernes* (1612) is acclaimed
for its disturbing virtuosity — and cele-
brated as the work of a woman: Artemi-
sia Gentileschi, often cited as the first
successful professional female artist.
Now she is the subject of a film, *Artemi-
sia*, which opens in Britain on May 7.

Its director, Agnes Merlet, became in-
terested in Gentileschi when she came
across *Judith Slaying Holofernes*
while studying art history. "This sub-
ject is a recurring theme in painting,
but generally Judith is depicted with a
cut-off head beside her," she says.
"Here we see her in the act, and all the
suffering, blood and screaming. I was
fascinated by the way it was at the
same time very sensual and ferocious,
yet somehow detached from the violence.
And I was stunned that it was
painted by a woman. I realised Artemi-
sia identified with Judith and won-
dered what had led her to feel this way."

Merlet's film explores the stark
events behind this strange and intense
vision. But it has also provoked some vi-
olent reactions in its own right. The
crux of the controversy is a key event in
Artemisia's life. Her father, Orazio
Gentileschi, also an artist, had hired
Agostino Tassi, a minor landscape
painter, to give his daughter lessons in
perspective. Instead of instructing her,
Tassi deflowered her, and although he
had promised to marry her, he turned
out he already had a wife. Orazio sued
him for injury and damage, in a trial of
which the transcript survives. But in the
film, far from agreeing she had been
raped, Artemisia insists on her love for
Tassi. And it's the pain of their enforced
and permanent separation
which, according to Merlet's screen-
play, inspired her work.

This interpretation has infuriated
American art historians and feminists.
When the movie opened in New York
last year, Roger Ward Bissell, who is
preparing the catalogue raisonné of all
known works by Artemisia, described
it as "almost perverse". Meanwhile,
Gloria Steinem and Mary Garrard,
the author of the first major biography
of the artist, invited feminists to picket
screenings, claiming the movie encour-
aged stereotypes of women falling in
love with their rapists.

Merlet, however, sticks by
her version. "I'm
accused of not following
the records of the trial to
the letter, which is true. They can be
read in different ways. There was in-
deed a violent sex act between Artemi-
sia and Tassi, but afterwards they con-
tinued to have physical relations for
nine months. There's evidence which
speaks of her love for Tassi and evi-
dence which speaks of rape. For me, it
was a loving relationship."

Merlet dismisses her detractors as
dogmatic and old-fashioned women's



Valentina Cervi stars as the 17th-century Italian painter Artemisia Gentileschi in a new film about her life

libbers. "Mary Garrard is really a radical
Severide-style feminist: a support-
er of women's struggle against men.
Her view claims that Artemisia was an
innocent, savagely seduced as though
she knew nothing of men. But I wanted
to show her not simply as a victim who
was raped and then got her revenge
through her work, but as a more mod-
ern figure, ahead of her time, who took
charge of her life and fought alongside
men, not against them, for equal rights."

Perhaps the main conclusion to be
drawn from this affair is the excitabil-
ity of the American political correctness
lobby — and the extent to which it can
be manipulated by hard-nosed busi-
ness interests. Miramax, whose aggres-
sive marketing tactics secured multiple

Oscars for *Shakespeare In Love* and
Life Is Beautiful, was *Artemisia*'s US
distributor. It originally sold the film
as a piece of art erotica, with a poster
describing its heroine — played by the
young Italian actress Valentina Cervi
— as "sexy" and "provocative". But the
company hastily amended its cam-
paign to cash in on the objections. "I
warned Miramax that some feminists
were opposed to it, and they contacted
them to show them the film," Merlet
says. "They encouraged the attacks."

In both France and Italy, by con-
trast, *Artemisia* was positively re-
ceived, and its UK distributor says it
does not expect a boycott here by out-
raged feminists. Certainly, the art histo-
rian Griselda Pollock, professor at the

University of Leeds and the author of
several books on women painters,
takes a measured view. "The evidence
does not support the view that this was
a love story," she says. She also dis-
agrees with the importance attached to
the rape for Pollock, the defining trauma
in Artemisia's life was the early
loss of her mother.

But, she adds, "I'm not against the
film because she has said something in-
teresting using the material. I admire
the ways in which the director has
struggled to understand how sexuality,
passion and an intensity of interest in
the world were important for the artist.
Agnes Merlet has every right to make a
compelling drama — it was never in-
tended as art history."

OPERA

King Priam in concert

Sound
and fury
of war

Timeless as the Greek
histories are, there are
times when their mo-
mentous subject-matter seems
more relevant than ever.
When we are assailed daily
with images of war, a treat-
ment of the legendary Greek
bards by a committed pacifist
of our own age serves to focus
sharply on the complex emo-
tions engendered.

Michael Tippett's opera
King Priam was presented in
concert form as part of Radio
3's *Sounding the Century* festi-
val. With a uniformly strong
cast and a powerful perfor-
mance by the BBC National Or-
chestra and Chorus of Wales
and the BBC Singers under
David Atherton, this was a
reading of barely mitigated ro-
manticism, driving home the mes-
sage of lethal acts unleashed
by brutalised sensibilities.

The ubiquitous brass tick-

ets and drum tattoos (cripply
articulated) create an over-
present air of military activity.
But by placing Priam at the
centre of the work, Tippett en-
sures that the drama is hu-
man, personal and affecting.

Priam is seen as guilt-ridden,
anxious, longing for
death, and David Wilson-John-
son encompassed the whole
range with impressive resur-
sance and stamina. Pushing him-
self to the limits — and ap-
parently struggling with a cold —
he engaged our sympathies, as
he must, not least in his reac-
tion to the death of his son Hector,
moaning with grief over
rocking low strings.

As his adversary Achilles,
Martyyn Hill rose to the pign-
antly lyrical challenge of his la-
ment for the homeland, "O
rich-soiled land, accompanied
by the guitar of Steve Smith.
Stephen Roberts and Michael
George were excellent as Hector
and the Old Man, while
John Graham-Hall handled the
youthful ardour for Paris.

On the distaff side, Susan
Bullock and Susan Buckley
were both formidable as Ecuba
and Andromache, while Susan
Parry paradoxically pro-
jected less passion as the fa-
tally loved Helen, though the
cool control in her hymn to the
power of love spoke eloquently
of her dangerous singleness of
mind. Other parts were well
taken by Mary King, Neil
Jenkins, Jeremy Huv Wil-
liams and Daniel Norman.

If *Act I* was slow to pick up,
the shorter *Act II*, with its bel-
liscose hard-edged sonorities,
was disturbingly immediate,
its end electrifying. The sense
of inexorability in *Act II* was
palpable. Atherton skillfully
welding scenes and interludes
in a dynamic dramatic sweep.

BARRY MILLINGTON

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TEATROS

MUSIC

Pogorelich in quirky form

GALLERIES: William Kentridge's London show portrays the continuing turmoil of his homeland. Richard Cork reports

Sombre visions of Africa

Isolated on a black wall, three lamps dangle in the darkness. They look fragile, and could easily be torn down from their slender cords. But for the moment they manage to function, spreading white splinters of light through the gloom.

Positioned in the opening room of William Kentridge's exhibition at the Serpentine, the lamps seem to act as a symbol of his hopes for art. He wants to tell the truth, not only about the traumatic history of his native South Africa but the human condition as a whole. At the same time, though, he is acutely aware of the difficulties hampering such an aim. This dual ability, to bear witness and yet concede that the ambition is thwarted at every

turn, gives his work its jarring, anguished conviction. If he had lived a few centuries ago, Kentridge might well have channelled his protesting and intensely theatrical imagination into print-making. Both Hogarth and Goya, in fact, were to be his models.

'He never stops battering us with baleful images'

By filming his charcoal and pastel drawings, then reworking or erasing them and recording the alterations at every stage, he has developed his own style of animation. Although the influence of Beckmann, Grosz and Kollwitz gives Kentridge's films a pronounced Expressionist flavour, they end up as the inimitable product of a conscience scarred since childhood by the abomination of apartheid.

The son of a lawyer who represented victims' families after the Sharpeville massacre, when 72 black South Africans were killed by police, Kentridge undoubtedly welcomed the triumph of the ANC in 1994. But his films since that

decisive election are as haunted by the past as his earlier work. At the century's end, he is in no mood to regard South Africa with complacency. His show never stops battering us with baleful images of greed, hatred and violence.

Kentridge knows he can never define the full extent of the barbarity. But that does not stop him arraigning it with all the linear power he can muster. Avoiding the pitfall of making his targets too diffuse, he concentrates on the corrosive figure of Soho Eckstein.

In the earliest film shown here, the pin-striped Soho is a property developer who builds all over Johannesburg. Kentridge calls it the "second greatest city after Paris", but the urban panorama shown here is nightmarish. It certainly unsettles Felix Teitelbaum, a dreamer whose dazed nakedness contrasts with Soho's malevolence. The two men end up fighting each other in the city's sewage pools, but there is no sign of goodness or triumph.

Felix, who resembles Kentridge himself, succeeds only in bringing love to

attempt to keep hold of history. Everything is continually undergoing a metamorphosis, and the ensuing confusion means that the past rapidly becomes obscured.

Felix in Exile is the film where the problem is addressed most disturbingly. Although he has fled to a room in a foreign country, Felix cannot escape his burdensome memories. The walls round him turn into the East Rand countryside clogged with corpses. However unavoidable they may seem, though, the bodies soon dissolve into the earth. So Felix, having been tortured by their presence, now finds himself bewildered by their absence.

The danger of forgetting apartheid's victims came more painfully into focus when the Truth and Reconciliation Commission began its public ses-

sions in 1996. Kentridge must have believed that South Africa could only find a way forward by admitting to the horrors of racist hysteria. Placing Soho Eckstein in a hospital bed, still dressed in pin-stripes but suffering from a coma, he made a superb film called *History of the Main Complaint*. Breathing through an oxygen mask, the prostrate Soho is attached to a CAT scan, where the inside of his body is juxtaposed with memories of atrocities he once witnessed.

We are confronted by his eyes, caught in the rear-view mirror of his car as he drives along a bleak highway past silhouetted figures bearing and killing. Soho's condition appears to deteriorate as he revisits the carnage he once avoided. Only when a corpse hits his windshield and shatters the glass does he emerge from

the coma. The shock of finally confronting the reality of inter-racial strife restores him to health, but Kentridge refuses to present Soho's recovery in a wholly positive light. He soon reverts to his customary profit-grabbing role, as if nothing had caused him to question his old priorities after all.

Between a crusading desire for the facts and a fear that they will not change anything, gives Kentridge's work its bite. He persists in pursuing the grim aspects of his country's history, and in 1997 resurrected Alfred Jarry's *Ubu Roi* for a harrowing film collage where drawn animation is deployed alongside documentary footage of South African upheavals. The archive material reflects the fact that Kentridge

themselves or their artist friends. The portraits are all in various graphic media: etching, drypoint, lithograph. Though the show begins with a Rembrandt self-portrait etching, the vast majority of the artists are 20th-century Brits. There are two from Edgar Halloway's long series of self-portraits, one from 1922, the other from 1991. James Pryde and William Nicholson, the Beggars Staff Brothers of poster fame (actually brothers-in-law), draw each other. William Roberts portrays himself, not very flatteringly, in 1924, and Stephen Conroy and Anthony Green bring the tally of self-portraits right up to date. 12, Needham Road, W11 0JL (0171-992 2788), Tues-Fri 11am-6pm (Sat 5pm), until May 22

JOHN RUSSELL TAYLOR



Kentridge's *Consultation: 10 Doctors* (1996). Using charcoal and pastel drawings and film, the artist builds up a deeply pessimistic view of life in the old South Africa and the new

AROUND THE LONDON GALLERIES

of Dutch and Flemish painters from the Golden Age when working on a small scale. The Cabinet Picture was not a genre in itself, but included examples of nearly all popular genres: landscapes, still lifes, portraits, religious and mythological pictures. Rather, it was a matter of scale: the pictures were all small and easily transportable, suitable for prosperous bourgeois who did not have palace walls at their disposal. There were specialists, but many leading figures also did it: Hals (a stunning portrait that hits you from across the room), Brueghel the Elder, Ruysdael, Savery, Dou, ter Borch, Wouwerman. The show also constitutes a history of collecting taste in England, from con-

temporaries of the painters right up to our own day. And if, incidentally, it conveys the idea that it is not too late to start collecting, that is fine too. 33 New Bond St, W1 0JL (0171-992 5553), Mon-Fri 10am-5.30pm (Sat 12.30pm), until May 7

□ THE phrase "museum quality" might also be applied, in a slightly different sense, to the show *Portrait of the Artist at Wolsley Fine Art*. This is completely a selling show, staged from stock by the dealer, but it is also designed to tour museums: it will go on to Pallant House in Chichester and the Victoria Art Gallery in Bath. It is built round the habit of artists of depicting

themselves or their artist friends. The portraits are all in various graphic media: etching, drypoint, lithograph. Though the show begins with a Rembrandt self-portrait etching, the vast majority of the artists are 20th-century Brits. There are two from Edgar Halloway's long series of self-portraits, one from 1922, the other from 1991. James Pryde and William Nicholson, the Beggars Staff Brothers of poster fame (actually brothers-in-law), draw each other. William Roberts portrays himself, not very flatteringly, in 1924, and Stephen Conroy and Anthony Green bring the tally of self-portraits right up to date. 12, Needham Road, W11 0JL (0171-992 2788), Tues-Fri 11am-6pm (Sat 5pm), until May 22

JOHN RUSSELL TAYLOR

GREAT BRITISH HOPES

Rising stars in the arts firmament:
TIM VAN EYKEN

Age: 20.

Profession: Folk singer.

Current status: He recently won BBC Radio 2's Young Folk award, a coveted prize for up and coming performers of traditional music in Britain.

What's the booty? An appearance on Radio 2's *Folk On Two* and a prime slot this summer at the Cambridge Folk Festival.

Recording activity? Debut solo album *New Boots* is already available on his own Appledore label and a follow-up album is under way. "I prefer to do it myself than go for a big advance from a major record label. That seems very poor business to me. They end up owning you."

Other claims to fame: At Wells Cathedral School he became the first person to gain a specialist music place on a folk instrument. "That was down to Roger Durston, the head of music. He's very open minded."

How did he start? "We went to all the folk festivals and camped out when I was a kid, and I started playing the penny whistle. I also play guitar and melodeon."

Why folk music? "I think people should be aware of their own culture and heritage. That's why I opened up a Morris tune at the Young Folk final. People have got hold of Irish music and put lots of energy into it, we need to do that with English folk music. To give it some passion. I try to be as unaffected as I can when I sing. I aim to tell a story, not to show off my voice."

What's next? "I'll be gigging solo and with my band Dr Faustus and as a duo with Rob Harbron, who is a great concertina player. There are so many different combinations and winning the Young Folk award is going to open a lot of doors."

NIGEL WILLIAMSON



Chopin in a blur

Chopin is big enough to withstand a fair degree of reinvention. But what two Pogorelich did in his name on Monday gave more than a short pause for thought. His recent recording of Chopin scherzos gives fair warning of what happens when the insights gained from idiosyncrasy are blurred by eccentricity. This all-Chopin recital revealed still more of this process at work.

Pogorelich has the pianistic means to do almost anything he likes. He has the power to burn the anger and outrage from those massive opening chords at the start of the *Polonaise No 4* in C minor, written in 1839 when Poland was dominated by Russia. He can control touch and timbre minutely enough to make the central song of the *Second Sonata's* scherzo seem barely corporeal. And he has the clarity of articulation within the quietest playing to fashion a rare filigree of sound.

But, isolated from coherent interpretation, these skills can become mere effects. And when repeated in constant, predictable sequence these effects can become a substitute for authentic emotional response. Pogorelich's repertoire of gestures gradually took over and finally subordinated the music it was intended to express.

The two sonatas which formed the pillars of his programme compounded the characteristics of the opening polo-

naises. Surging energy was stultified by rhythms so dislocated, and a pulse so pulverised that the music's natural momentum was all but arrested. The artless song at the heart of the *Second Sonata's* scherzo was tormented by rubato so that its contours became distorted out of all recognition, until the music seemed to vanish into itself.

This sense of dissolution was carried to an extreme in the *Third Sonata*, whose slow movement was attenuated to the point of near absurdity. Despite some applause a significant and increasing restlessness became apparent in the audience throughout the second half of the evening.

Pogorelich's often bewildering recital was given in aid of the historic sites of Vukovar, the town in eastern Croatia which fell in 1991 after three months of bombardment. We bomb, and in these corporate acts of beneficence or atonement, we rebuild. Who will be giving the benefit recital for Belgrade in five years' time?

HILARY FINCH

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Top of the housing market



Both Park show houses have double-height entrance halls with American oak doors

Ireland's housing market is booming — and has been for five years. Ben Wakeham wonders whether there is a lesson there for Britain

The Irish housing market has been thriving for the past four or five years thanks to the economic boom, low interest rates and European funding. Prices have increased and houses are selling quickly.

Last year the Dublin market rose by 44 per cent, according to First Active, formerly Ireland's biggest building society. Interest-rate cuts have brought the republic in line with lending on the Continent, making property even more attractive.

"The Irish market is a fascinating potential for what could happen to the British market," says Richard Donnell from Savills. "It is questionable whether we would experience a similar boom, but the cheap cost of money is already fuelling the UK market and would clearly boost the market even more were we to join the euro."

A good example of the buoyancy of the market is the new development of 47 houses in the Dublin suburb of Carrickmines, with views across the Dublin Bay. The houses are priced at about £180,000, and all were reserved by last weekend.

Mr Donnell says: "The boom in Ireland's housing market is because of lower levels of interest rates and very strong economic growth. There have been a lot of investors

buying property in Ireland and it has pushed up the prices for ordinary buyers." The most obvious cause for this kind of property boom would be a stiff increase in interest rates, just as happened in Britain in the 1980s, but interest rates have just been lowered on the instructions of the European Central Bank. You are

Ireland feels that it is on a par with the best in Europe

now able to find mortgage rates lower than 6 per cent.

But Mr Donnell does not think that Britain would experience a similar boom if it joined the euro: "People are spending an ever-smaller portion of their income on houses. At the peak of the 1980s, people in Britain were spending 40 per cent of their income on homes, now they are spending 16 per cent. People are saving more, or spending their income on consumer goods or going out in the evenings."

"Irish investors had a taste for investing at home, but are now being attracted by the higher yields in London. Last year 36 per cent of people buying in new building developments in London were Irish."

Of course, Ireland's tiger economy kick-started the housing market's growth. Growth rates have reached about 9 per cent, according to the Bank of Ireland, which is more than three times that of the UK. House prices rose nationally by 17.8 per cent last year, but in Dublin and the surrounding counties of Kildare, Louth, Meath and Wicklow they rose by 44 per cent.

"The Irish property market is incredibly strong," Andrew Hay, of Knight Frank, says. "It has boomed for the past four or five years — Ireland has never seen such growth. This is fuelled by the economic boom, low interest rates, European funding and a huge lift in national confidence. For the first time in generations, Ireland feels that it is on a par with the best in Europe."

Ronan O'Driscoll, from the estate agents Hamilton Osborne King in Dublin, the selling agent for the Carrickmines development, says: "We are seeing more and more million-pound houses on the market. There is a strong demand with a shortage of housing stock. Many people are moving back



The reception rooms in the Carrickmines show houses by Park Developments have fireplaces and wooden floors

THE development in the exclusive Carrickmines suburb has 16 houses on offer between £190,000 (£750,000) and £212,000 (£850,000) depending on the size of the garden. The development also includes 31 smaller, four to five-bedroom detached houses, selling for between £125,000 and £165,000. The two show-houses have different layouts. Both have four reception rooms and double-height entrance halls

complete with American oak doors and overhead windows. One house has a double-height dining room with steps leading to a spacious reception room. The reception rooms have fireplaces, wooden floors and picture windows. Park Developments has provided one of the best kitchens available on the market. One of the show houses has four fitted bathrooms, the other five. The most expensive houses have double

garages. The smaller four to five-bedroom houses have less floor space and smaller gardens. They have three reception rooms and a large kitchen with the same units and electrical and gas appliances to the bigger houses. They also have an integrated garage. Stamp duty on a new house is less than that on a previously-owned home. Buyers of new homes have to pay stamp duty only on the cost of the site.

to Ireland and the shortage is becoming a problem."

Mr Hay says demand is fuelled by a growth in the number of domestic buyers and many more millionaires. "There are more incoming overseas buyers," Mr Hay says. "Traditionally, overseas buyers were looking for a good

quality of life but now they are moving to Ireland for business, too. Overseas executives are relocating, drawn by Dublin's financial services and the prosperity of the silicon valley, west of Dublin."

Another dimension is returning expatriates. Ireland has had a brain drain for gen-

erations, particularly to America and Britain, but people are coming back because of the surge in confidence. They are usually high earners with high standards and are buying expensive homes."

One problem is the severe shortage of rental properties — 90 per cent of the population

own their own homes. In 1993, 787,000 people were potential home-owners; by 1998 that had swelled to 933,000. Immigrants outnumbered emigrants by 22,800 last year. Last year 95,000 jobs were created, which is more than the number created during the past ten years.

EMMA GOSNELL

How to make jolly in one man's great folly

When the eccentric art collector and writer William Beckford built a folly towering over downland north of Bath in 1825, he boasted that it commanded "the finest prospect in Europe", with views across the Bristol Channel to Wales and into Wiltshire.

His boast still rings true. And, if the tower's owner, the Beckford Tower Trust, and the Landmark Trust, complete their restoration work, four inhabitants will be able to enjoy his folly, and possibly Britain's most romantic home, for the millennium.

"The Landmark Trust was approached by the Beckford Trust to renovate a large area in the tower and make it into four rooms; they hope that, as well as living space, the building will house a small museum. It appealed to us because it will be such an exciting experience for Landmarkers to sit in the gilded lantern of the tower," says Peter Pearce, of Landmark. "We see it as the Landmark's millennium project, and we will fund it with our millennium fund."

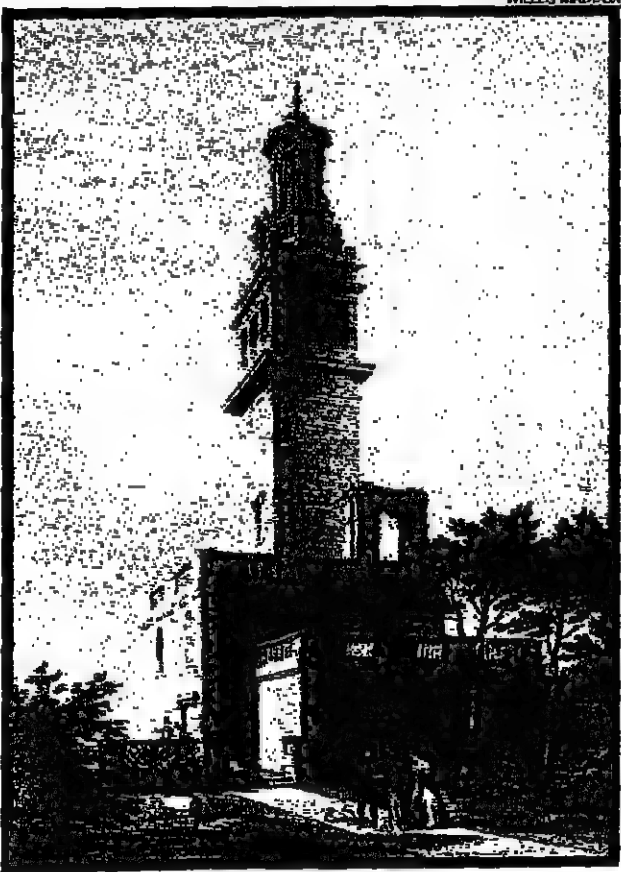
The most spectacular feature for holidaymakers who hire Beckford's tower, which stands 800ft above sea level, is likely to be the belvedere at the top, which is reached by a spiral staircase. "The experience of sitting in the tower will really be quite special. It is newly gilded and shines like a beacon across Bath," Mr Pearce says.

External restoration work and the gilding of the lantern by the Beckford Tower Trust are now almost complete, at a cost of more than £650,000, supported by the Heritage Lottery Fund and a successful fund-raising appeal. However, a further £40,000 is still needed. The scheme relies on donations, including those made with bookings for the millennium.

The tower was originally Beckford's retreat. He would ride across the countryside from his home in Lansdown Crescent to admire his extensive art collection displayed in the rooms in the building's base.

The interiors were giddy in their richness: the walls were terracotta, the curtains crim-

son and the ceilings gilded. The room, which is being converted, was originally known as the crimson chamber; one of two drawing rooms which Beckford used for entertaining and admiring. They were ex-



Beckford's tower was built in 1825 and is now being restored

OTHER PLACES TO RENT: Appleton, Water Tower, near Sandringham, Norfolk, is another Landmark Trust property. The late 19th-century building was designed by Robert Rawlinson with a distant view of the Wash from the top. It sleeps up to four and has an enclosed garden. Martello Tower, Alderbury, Suffolk, is also a Landmark tower which once helped to keep out Napoleon. Shaped as a quadrangle for four heavy guns, it stands in eight acres of salt-marsh at the foot of the Orford Ness peninsula, between the River Alde and the sea. It has sleeps up to four with parking near by. St Peter's Church, Highways, near Calne in Wiltshire, was built in 1896 by William Butterfield. It offers peace and tranquility as a recently converted four-bedroom house. It can be rented through the agents Knight Frank.

travagantly decorated and Landmark hopes to achieve some of the atmosphere created in Beckford's day. The eccentric's great passion was for idiosyncratic buildings. He commissioned the mock-Goth-

ic Fonthill Abbey in Wiltshire to the design of James Wyatt and lived there until 1822. Unfortunately, only a fragment of the house survives.

After Beckford's death in 1844, the gardens became a cemetery — where Beckford is buried beside his favourite dog. The tower was converted into a chapel; its interior was gutted by fire in the Thirties. In 1969, the building was made redundant.

Two admirers then bought the building and divided its base into two private flats and two exhibition rooms. More recently, the tower was bought by the Beckford Tower Appeal. Last year the 120ft tower was in danger of collapse. Only the efforts of the trust to raise £100,000 towards repairs has ensured its survival. External restoration work and the gilding took the cost to £650,000. The Landmark hopes to convert the area into two bedrooms, a kitchen, living room and bathroom. It would sleep four people at a cost of about £250 for a mid-winter four-night break, and £700 or £800 at high season for a week. Mr Pearce says: "It would attract a wide range of people. Beckford was a fascinating man and the tower is of great architectural interest."

Links
Websites:
www.bath-preservation-trust.org.uk
www.landmarktrust.co.uk

• Donations for the restoration of the tower can be sent to: Beckford Tower Appeal, Freepost (SWB10234), 1 Royal Crescent, Bath, BA1 2XF; Landmark Trust booking line, 01628 829225. The trust emphasises that buildings are being let for the millennium only to people on its mailing list, with a closing date of May 15. It is still possible to get your name on the list by buying the Landmark Handbook, priced £9.50, or ringing the above number. The trust cannot take any potential bookings for Beckford tower, until it becomes clear when restoration work will be complete.

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2 FOR 1 TICKETS AT SIX TOP SHOWS



This week The Times offers readers the chance to buy two tickets for the price of one for some of the best shows in London. To book call 0870 842 2211

Amadeus, Old Vic, SE1. Peter Shaffer's wickedly funny play currently starring Nicholas Le Prevost. Offer valid until May 31 Monday-Thursday evenings at 7.30pm and matinees on Wednesday and Saturday at 3pm. Tickets normally £39.50 each.

Blood Brothers, Phoenix Theatre, WC2. Winner of the Olivier Best Musical Production award. Offer valid until June 30 Monday-Friday evenings at 7.45pm and matinees on Thursday at 3pm and Saturday 4pm. Tickets normally £39.50 each.

An Inspector Calls, Garrick Theatre, WC2. Winner of 19 awards, the National Theatre production of J. B. Priestley's thriller stars William Gaunt. Offer valid Monday-Thursday evenings at 7.45pm until May 15. Tickets normally £29.50 each.

The Woman in Black, Fortune Theatre, WC2. Susan Hill's frightening ghost story, now in its tenth year. Offer valid Monday-Thursday evenings at 8pm from May 1-June 30. Tickets normally £23.50 each.



SHAKESPEARE IN LAUGHS: Riotously funny romp through 37 plays

Buddy, Strand Theatre, WC2. Rock'n'roll musical of the Buddy Holly story. Offer valid Tuesday-Thursday evenings at 8pm, Friday evenings at 8.30pm and Sunday matinees at 4pm until May 31. Tickets normally £27 each (Tues-Thurs and Sun mats) and £30 each Friday evenings.

The Reduced Shakespeare Company, Cricton Theatre, W1. The longest-running comedy in the West End includes all 37 of the Bard's plays. Offer valid for Tuesday-Friday evenings at 8pm and matinees on Thursday at 3pm, Saturday at 5pm and Sunday at 4pm until June 30. Tickets normally £25 each.

There is a £2 transaction fee per booking.

THE TIMES Live
0870 842 2211

CHANGING TIMES

Stewart to bid for urgent net profit

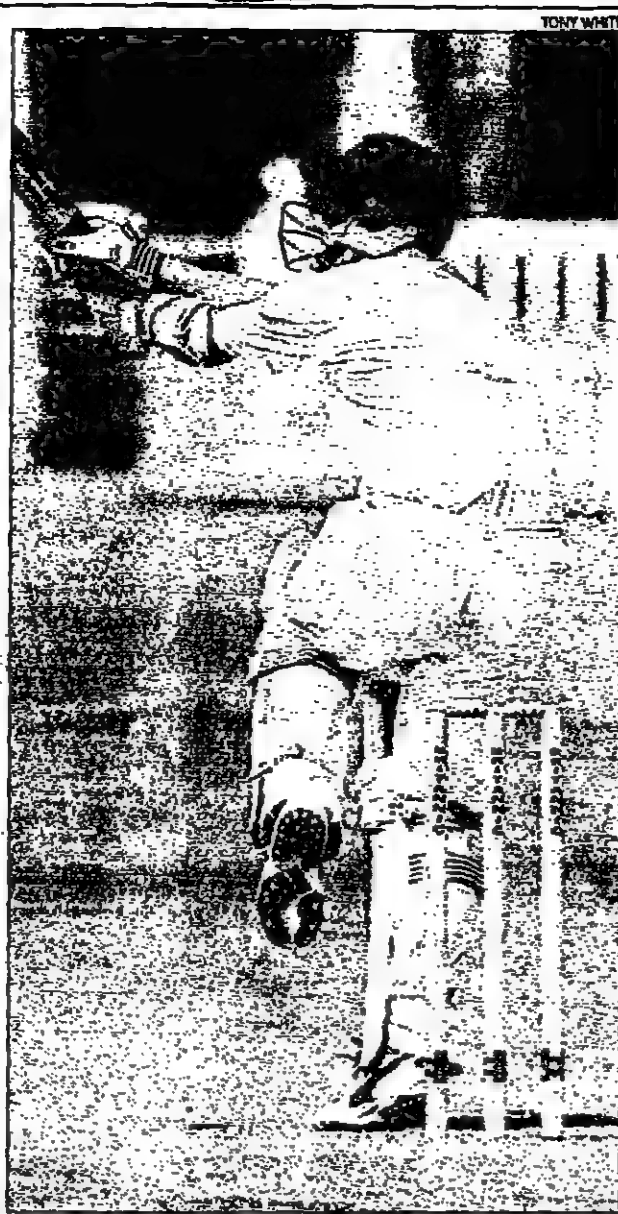
By Geoffrey Dean

ALAN STEWART has withdrawn from Surrey's PPP County Championship match at Northampton today after the death of his paternal grandfather-in-law, John Dalkin, in the night. The funeral is expected to take place later this week.

The England captain, suffering from an acute shortage of runs for both county and country since the Melbourne Test in December, is aiming to arrange some net sessions at the Oval before Sunday, when the World Cup squad meet up at Canterbury in preparation for their three warm-up games against counties. All the other England players will be turning out for their counties this week in a full programme of championship matches.

One former England cricketer, Mark Lawwell, may be out for the rest of the season because of a knee injury sustained on Somerset's pre-season tour to South Africa. The county is still awaiting the surgeon's report after an operation at the weekend, but Jamie Cox, his captain, said yesterday that he was 80 per cent certain that Lawwell would miss the entire season. "Mark has damaged his anterior cruciate ligament, which is one of the worst knee injuries you can get," Cox said.

Eight championship games begin today and a ninth, between Somerset and Yorkshire, starts tomorrow. Leicestershire, the leaders, include



Lawwell is likely to miss the whole season after having an operation on his injured knee at the weekend

intends to let the wicketkeeper, 20, keep his place in the batting order.

"Chris has come on in leaps and bounds with the bat - that was a good knock in difficult conditions at Leicester and he handled himself very well," Gallian said.

Read's promotion will be viewed with interest by the England selectors, who are thought to favour him as Stewart's long-term successor behind the stumps, if he can improve his batting.

PPP COUNTY CHAMPIONSHIP GUIDE

DURHAM	ESSEX	GLAMORGAN
HAMPSHIRE	WARWICKSHIRE	SUSSEX
GLoucestershire	KENT	Leicestershire
Middlesex	Derbyshire	LANCASHIRE
NORTHANTS	NOTTINGHAMSHIRE	SOMERSET
SURREY	WORCESTERSHIRE	YORKSHIRE

Majority support regional shake-up

MINOR COUNTIES CRICKET
By MICHAEL AUSTIN

A TWO-DIVISION championship for the minor counties based on merit, not geography as at present, could start next year. A survey of the 20 counties reveals that more than half favour the scheme that, if implemented, would include promotion and relegation, probably two up and two down.

Only six minor counties were against the blueprint. It agreed with it, two thought "it was worthy of further careful consideration" and one did not respond to the questionnaire. The consensus of opinion suggests that performance over five seasons should be the yardstick for the make-up of the divisions, although three years' results were thought more appropriate by some. Others believed that placing this summer should be the sole guide.

John Shepherd, the manager of the minor counties, said: "My view is that in the quest for excellence, we should have first and second divisions, but if Cornwall had to travel in the NatWest Trophy next Tuesday - then someone has to pick up the petrol tab."

Amendments for this season, which begin with every minor county competing in the NatWest Trophy for the first time, incorporate the championship final between the eastern and western divisions being played over three days rather than two. Two points will be doctored from any team failing to bowl 17 overs an hour in the championship and five points if the rate falls below 10 an hour.

Alan Igglesden, the former Kent and England fast bowler, has joined Berkshire and Martin Suggers, let for Durham, will play for Lincolnshire.

6.50 ROYAL BANK OF SCOTLAND HANDICAP

5.20 Sillymore	8.50 Eastern Project
5.45 Polo Venture	8.00 Galants Delight
6.15 Stash The Cash	8.00 Jessica One
Carl Evans: 8.00 Galants Delight.	

GOING: GOOD TO FIRM (FIRM IN PLACES) SIS

5.20 LINDA FORREST MEMORIAL MAIDEN

3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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GOING: GOOD TO FIRM (FIRM IN PLACES) SIS

5.45 LINDA FORREST MEMORIAL MAIDEN

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GOING: GOOD TO FIRM (FIRM IN PLACES) SIS

6.15 STEWART NIDY NOVICES CHASE

1-14	15-20	21-26	27-32	33-38	39-44	45-50	51-56	57-62	63-68	69-74	75-80	81-86	87-92	93-98	99-104	105-110	111-116	117-122	123-128	129-134	135-140	141-146	147-152	153-158	159-164	165-170	171-176	177-182	183-188	189-194	195-200	201-206	207-212	213-218	219-224	225-230	231-236	237-242	243-248	249-254	255-260	261-266	267-272	273-278	279-284	285-290	291-296	297-302	303-308	309-314	315-320	321-326	327-332	333-338	339-344	345-350	351-356	357-362	363-368	369-374	375-380	381-386	387-392	393-398	399-404	405-410	411-416	417-422	423-428	429-434	435-440	441-446	447-452	453-458	459-464	465-470	471-476	477-482	483-488	489-494	495-500	501-506	507-512	513-518	519-524	525-530	531-536	537-542	543-548	549-554	555-560	561-566	567-572	573-578	579-584	585-590	591-596	597-602	603-608	609-614	615-620	621-626	627-632	633-638	639-644	645-650	651-656	657-662	663-668	669-674	675-680	681-686	687-692	693-698	699-704
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Brown seeks reversal of roles

[illegible]

prime ministers are happy to take cabinet meetings in a sports jacket. Here, men still feel nobody will take them seriously unless they wear a jacket and trousers match. Even now, Richard Branson's "bohemian" dress sense is thought not to be worthy in business profiles.

But the British are not always keen. When showed that Englishmen have come a long way since the 1950s, when even a pattern on your socks, let alone an Italian suit, might lead people to think — a one contributor put it — you were "that way". Still, Englishmen's initial rebellion against the suit were not always successful. They leap into flares you could house a family of refugees under; lapels as wide as Heathrow landing strips; and — the tops — colours that they must have been coloured by leavers from their granny's washing box. Some of Martin Parr's more endearing photographs are of Englishmen who still dress this way.

1000

6.00am 5 News and Sport With Bec
Adams (5361041)

7.00 **WideWorld** Part four. Media artists
surrounding the American President
including interviews with Jimmy Carter
and Gerald Ford (V) (T) (2228157)

7.30 **Milka** (2018515)

7.35 **Pushover Babies**; 5 News Update
(2228157)

8.00 **Hannakazoo** (V) (8210481)

8.30 **Dappledown Farm** (V); 5 News Update
(8219732)

9.00 **The Roseanne Show** (V) (5923770)

9.50 **Russell Grant's Postcards**
(8331003)

9.55 **The Bold and the Beautiful** Jamie
receives a shock the morning after
18167022

10.20 **Suspect** Beach Cook realises the truth
about Troy (T) (4623683)

11.00 **Laeza** (V) (3305848)

11.10 **5 News at Noon** (T) (8220848)

12.30pm **Family Affairs** (V); 5 News Update
(9231567)

1.00 **The Oprah Winfrey Show** The show
host talks to the Duchess of York
(4298408)

1.50 **McMillan and Wife: Reunion** In **TVM 1975** **McMillan** and **Wife** is drawn into a
murder case while attending his high
school reunion. Mystery thriller, with
Rod Hudson and Susan Saint James
Directed by Mel Ferber; 5 News Update
(54406428)

3.10 **The Third Day** (1965) A man suffers
from amnesia tries to place together
fragmented memories of the past, but
investigates the clues to a shock
accusation of murder. Crime thriller, w/
George Peppard. Directed by Jay
Smight (34328515)

5.20 5 News (59639409)

5.30 **100 Per Cent** (5518312)

5.50 **5 News**; Weather. Round-up of the day's
stories, including First on Five
(5512255)

6.30 **Family Affairs** (V); 5 News Update
(5515577)

7.00 **Police: Squad** Spoof cop comedy, w/
Leslie Nielsen (2525461)

7.30 **Wild in the USA** Companion to the
common red fox and its lesser-known
relative the kit fox (V); 5 News Update
(6955481)

9.00 **Nature's Fury** Personal accounts
natural disasters, including earthquake
in Japan, Mexico and India, plus
satellite footage of speeches,
tornadoes and hurricanes (V) (T); 5 News
Update (9716428)

9.00 **Chains of Gold** (1991) John Travolta
co-wrote and stars in this drama as
social worker whose dedication to the
prompts him to rescue a youngster in
care who has fallen foul of a ruthless
child-custody gang. w/ Jody Lawren
Maui Hatter and Hector Elizondo
Directed by Rod Holcomb (T) (486965)

10.50 **Barcelona v Brazil** **Highlight**
Introduced by Steve Scott (4015003)

11.30 **UK Raw** (4501664)

12.00 **Major League Baseball Live** (30125)

4.30am **Australian Rules Football**
Bone-crunching action (3895569)

5.30 **100 Per Cent** (V) (6232691)

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SNOKER 41

Higgins races to commanding lead at the Crucible

SPORT

WEDNESDAY APRIL 28 1999

RACING 42

More gloom for Maguire as injury jinx strikes again



Keegan gives first chance to one forward and perhaps a final opportunity to another

Jury still out on value of free spirit

Matt Dickinson believes a roving role will suit Steve McManaman



Off the shelf: Phillips, who was stacking bread at a warehouse only four years ago, makes his England debut against Hungary in Budapest tonight. Photograph: Marc Aspland

Phillips caps striking rise

FROM OLIVER HOLT, FOOTBALL CORRESPONDENT IN BUDAPEST

IT IS symptomatic of a match conceived in ignorance and raised in indifference that a man who was once fit only to clean Alan Shearer's boots and whose little sister played at Wembley before he did should take centre stage in the Nép Stadium tonight, when England play Hungary.

The odds are stacked so high against the game that nobody really wanted that football's undying sense of irony dictates it is likely to yield something of great worth, be it a performance of stellar potential or the belated flowering of a talent almost abandoned.

England's recent football history is littered with such events. The game against Brazil in the Maracanã in 1984, which made a superstar out of John Barnes and helped to launch the career of Mark Hateley, is one. The match with Egypt in 1986, which provided Peter Beardsley with his first cap, is another.

Tonight, it may be that Steve McManaman finally rams the taunts of the critics back down their throats and proves that he can perform with the same vivacity and impudence that has characterised his career with Liverpool for so long.

Whatever Kevin Keegan

said yesterday to take the heat off him, this England team has been constructed around McManaman, its midfield packed with three ball-winning Rotweillers — Tim Sherwood, David Batty and Nicky Butt — to give him total freedom to try to wreak havoc behind the front two.

Against a Hungary side that is susceptible defensively and struggling forlornly to recapture past glories, McManaman will never have a better chance to shake off the tag of international failure.

The night might just as easily belong to Kevin Phillips, the prolific Sunderland striker, who was an apprentice with Southampton when Shearer's career at The Dell was beginning to take off and who will win his first cap alongside the England captain.

Even though Wes Brown, the Manchester United defender, will also make his debut, it was Phillips who commanded most of the attention yesterday. The speed of his rise from obscurity seemed to fit the mood of opportunity that Keegan has tried to build around this match.

Four years ago, Phillips, who has scored 53 goals in 79 appearances for Sunderland, was playing non-league football for Baldock Town, stacking shelves at a Sunblest warehouse and later driving a forklift truck to load radiators and copper piping for B&Q. He

will be playing tonight, he said, for his 17-month-old daughter, Millie Ann, who was taken to hospital on Saturday when doctors suspected that she was suffering from meningitis. His only thoughts then were for her. He was on the verge of pulling out of Keegan's squad.

"It was a major scare for me," Phillips said yesterday, "but thankfully she pulled through. She had not been well for about three weeks, her temperature had been up and down. We took her to the game on Saturday and I got a call as I came off the pitch about an hour before the game and the doctor was saying she had to be rushed to hospital because she had come over all lifeless."

"I went into the medical room to see her and it was scary. I thought I was losing her and I went to hospital and thankfully she responded. It was touch and go whether I came here."

Phillips, 25, has had more than his share of adversity. His father, Ray, who had helped him to keep his discipline when he was at Baldock, stopped him going out with his friends on Friday nights and generally kept his feet on the ground, died suddenly three years ago. "He will be looking down on me tomorrow," Phillips said. "He would be very proud."

His career seemed to have stalled before it had started. Rejected by Southampton because Chris Nicholl, the manager, thought that he was too small and weak for a striker, he rebuilt his career at Baldock, where he earned £150 a week, before moving on to Watford — where he actually took a pay cut — and then Sunderland.

"I think I appreciate things more because of all that," he said. "It has been a hell of a rollercoaster ride for me and my family and I am determined to get the most out of it now."

"I work hard every day in training. I enjoy my life. I think it's a fantastic life. It's not for ever, so I think you have to work at it while you have got it. If you put it in, there are great rewards."

"It has really turned into a fairytale for me, but I know it could all end just as quickly. I'm not intimidated by the thought of playing with Alan, but it is a shock for me to come and start training with the big boys. I have not even had a taste of the Premiership yet."

"I even struggled to get into the Baldock team straight away. They had been playing me at right back in the Southampton youth team, but thankfully they gave me a chance to play in attack at Baldock and I grabbed it with both hands."

He played at Wembley last season, in Sunderland's play-off defeat by Charlton Athletic, but his sister, Karen, beat him to it, appearing there for Hemel Hempstead Ladies. "It was only in front of about 100 people," he said, "but I was jealous and she never stops ribbing me about it." Tonight he may have a chance to establish his own claim to fame.

The longest trial in English football reconvenes tonight when Steve McManaman runs out in Budapest, and those of us who do not believe him guilty of impersonating a top-class footballer will approach the match with a certain amount of foreboding. It is a sceptical jury that sits in judgment.

Forget the debuts for Kevin Phillips and Wes Brown or David Seaman's fifth cap — by the time that Kevin Keegan had concluded his address yesterday, this was Macca's match. "The team has been set up for him to go and prove people wrong," the England coach said, and it was impossible not to ponder the consequences should he fail.

Support and understanding are not widespread — not even in his native Merseyside — these days — for a player who, like John Barnes and Glenn Hoddle before him, is mistrusted by a country that has traditionally celebrated reliability over ephemeral brilliance. "The guy who just fetches and carries does not have the same expectations," Keegan said, "but the player you pick to excite, to go past people and score goals, they can have an average game and it looks disappointing."

Keegan's mitigation will not stop expectation weighing heavily on McManaman's splendidly framed frame tonight. While Sherwood, Batty and Butt are expected to sprinkle some of the coach's "magic dust" on the untried forward partnership of Shearer and Phillips.

"He is going to be a free spirit," Keegan said. "With the circumstances and the squad I have got, it is the chance to play him in his best position. He can go where he wants. I won't restrict him."

"There is part of Macca burning to prove people

wrong. It always comes back to the player. He has to pull any shirt on, whether it is for Liverpool against Manchester United or just in a friendly in Morocco, and, if you are a name, every game has to be a big game."

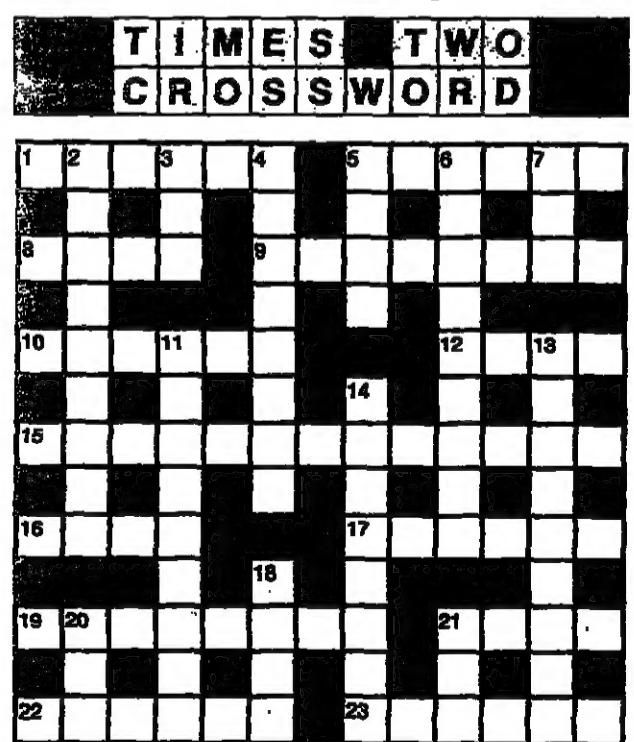
Not too many of McManaman's 23 international appearances would fall into that category and for that, he must take some of the blame. Yet he can counter that he has not been properly used by an England manager since Terry Venables successfully placed him as an attacking wing back during Euro 96. Hoddle's mistrust included employing him as a left back in Switzerland, while his last cap, against Poland on the wing, came when he was not fit.

His performance at Blackburn Rovers on Saturday suggested a return to form, but the 27-year-old is still some way short of his best because of injury and the distractions of his summer move to Real Madrid — a problem Keegan knows well.

"I had a difficult last season at Liverpool before Ham-burg," he said. "When I played well, they said I was trying to get a move. If I played badly, they said I didn't care. Hopefully, Madrid will spark him off like it did for me. He is learning the language and he is bright enough to respond."

Perhaps realising that, with every sentence, he was intensifying the glare on McManaman, Keegan attempted to backtrack — "I am not building the team around him," he said — but it was too late. "I want the best out of him," he added, "and we should want that as a nation." McManaman, who has always been appreciated by a wider audience in Europe than in England, will not count on the country's patience.

Hodgson returns, page 45
United denial, page 45



No 1703

- ACROSS
1 Impaled: secretly added alcohol (6)
5 Sonny sphere (6)
8 Miss. Instrument: medal (slang) (4)
9 Rate of progress (8)
10 One aimed at (6)
12 Wonky (4)
15 NY advertising centre (7,6)
16 Marshes: Cambs, ones (4)
17 Four soon on (6)
19 Wave threateningly (8)
21 Shed tears (4)
22 Poise, self-assurance (6)
23 Ceremonial procession (6)
- DOWN
2 Disseminate: breed (eg plant) (9)
3 Barrel: (fizzy) beer (3)
4 Loving attachment (8)
5 It saves groggy boxer maybe (4)
6 Pirate (9)
7 Illuminated (3)
11 Slide between notes (9)
13 Parliamentary soldier (9)
14 Privation, want (8)
18 Arm or leg (4)
20 Make tear (in) (3)
21 Conflict (3)

SOLUTION TO NO 1702
ACROSS: 7 Fall into line 9 Intense 10 Ridge 11 Tray 12 Atlantis 15 Cravasse 17 Halo 19 Lodge 21 Amnesia 22 Make it snappy
DOWN: 1 Carriage 2 Flank 3 Infect 4 Journal 5 Mind 6 Reconnaisance 8 Fifth column 13 Transept 14 Javelin 16 Sparse 18 In-law 20 Dyke

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Lord's spaceship has landed

Over the 31 years since Soviet tanks rolled into Prague, Jan Kaplicky sought a way to thank the country that offered him sanctuary. As an assembled crowd gave the futuristic NatWest Media Centre at Lord's its approval yesterday, he stood back quietly and decided that a debt of gratitude had finally been repaid.

Kaplicky had spent the four years before 1968 trying to establish himself as an architect in the former Czechoslovakia before attempts to democratise the country were repressed. Ten days into the invasion, he decided to escape from his homeland and try to forge a new life in England.

Had Kaplicky not been granted refugee status, and founded his company, Future Systems, in 1979, the world's most historic cricket ground would never have been home to his eye-catching design, resembling an extra-terrestrial gherkin, which now crowns the Nursery End, spanning 42 metres between the Compton and Edrich Stands.

"My dream has been to make a contribution to your



Richard Hobson talks to the Czech architect who has brought a futuristic aspect to the Nursery End

people for not throwing me back in the English Channel when I needed help," Kaplicky said. "Until now, the Czechs have given England only three things — pointed



shoes, the word 'robot' and the Bren gun. But now I hope this Media Centre makes it four."

Anne Boleyn brought over the shoes before her brief marriage to King Henry VIII. Robot derives from a 1920 play by Karl Kaper. R.U.R. The abbreviation stands for Rossum's Universal Robot, from the Czech word *robota*, meaning forced labour. The Bren gun, a light machine gun used during the Second World War, derives from the Czech town of Brno, where it was invented, and the manufacturing site in Enfield.

The cost of the Lord's project — the first single-shell aluminium building ever con-

structed — is around £5 million, with more than half of the figure contributed to the MCC by NatWest. A series of hooks have been designed into the external skin to facilitate cleaning by abseilers.

Inside, the marine-blue decor and curved-back seats give the appearance of a trendy coffee bar rather than a place of work for journalists and broadcasters. A room at the back even houses a machine for making cappuccino — in dry contrast to the bar in a corner of the previous press box.

In architectural and engineering circles, doubts persisted over whether such a revolutionary construction was physically possible. It is based on principles used in the boat building and aircraft industries and was built by Penderis Shipyard Ltd, of Falmouth.

KOSOVO THE HUMAN CATASTROPHE 4 HOURS AWAY

Exhausted refugees are still pouring into Albania, the poorest country in Europe. Christian Aid is here, helping impoverished local families to accommodate refugees in their homes.

In Macedonia and Montenegro thousands of families have been separated: brother from sister, wife from husband, parent from child. Christian Aid is here, helping in the agonisingly slow process of searching and reuniting.

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